

SENATE.

THURSDAY, January 29, 1903.

Prayer by Rev. F. J. PRETTYMAN, of the city of Washington.
The Journal of yesterday's proceedings was read and approved.

NATIONAL MUSEUM BUILDING.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Smithsonian Institution, transmitting a copy of the report of a special committee of the Board of Regents of that institution, recommending an appropriation for a new building for the National Museum, in accordance with plans heretofore submitted to Congress; which, with the accompanying paper, was referred to the Committee on Appropriations, and ordered to be printed.

HEIRS OF ANDREW S. CORE.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of Christine M. Core, Ella Core Tadler, and Jane F. Martin, sole heirs of Andrew S. Core, deceased, v. The United States; which, with the accompanying paper, was referred to the Committee on Claims; and ordered to be printed.

MARY ANN FOARD.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of Mary Ann Foard, widow and sole heir of James A. Foard, deceased, v. The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

ALFRED B. CARTER.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of Alfred B. Carter v. The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

MEMORIAL ASSOCIATION OF THE DISTRICT OF COLUMBIA.

The PRESIDENT pro tempore appointed Gen. Nelson A. Miles and Mr. John M. Spofford for three years to succeed themselves, and Mr. Thomas F. Walsh for two years, vice Mr. W. D. Davidge, deceased, as members of the Memorial Association of the District of Columbia, under the requirements of the joint resolution approved June 14, 1892.

CREDENTIALS.

Mr. BARD presented the credentials of GEORGE C. PERKINS, chosen by the legislature of California a Senator from that State for the term beginning March 4, 1903; which were read and ordered to be filed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 342) for the relief of the heirs of Aaron Van Camp and Virginius P. Chapin.

The message also announced that the House insists upon its amendment to the bill (S. 3287) to fix the salaries of certain judges of the United States disagreed to by the Senate, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. JENKINS, Mr. WARNER, and Mr. SMITH of Kentucky managers at the conference on the part of the House.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (S. 3243) to redeem certain outstanding certificates of the board of audit of the District of Columbia;

A bill (S. 4231) authorizing the Commissioners of the District of Columbia to extinguish a portion of an alley in square 189;

A bill (S. 5316) providing for an additional circuit judge in the eighth judicial circuit;

A bill (S. 5914) establishing a regular term of United States district court at Addison, W. Va.;

A bill (S. 6333) to divest out of the United States all its right, title, and interest of, in, and to certain real estate situated at and near the city of Montgomery, State of Alabama, and to vest the same in The Southern Cotton Oil Company, Bessie R. Maultsby, James S. Pinckard, trustee, M. V. B. Chase, and Edwin Ferris;

A bill (S. 6461) providing for an additional district judge in the district of Minnesota;

A bill (H. R. 623) granting a pension to Susan Kennedy;
A bill (H. R. 629) granting a pension to Caroline Fitzsimmons;
A bill (H. R. 1592) for the relief F. M. Vowells;
A bill (H. R. 1617) granting an increase of pension to Margaret A. Osborn;

A bill (H. R. 2783) granting a pension to William Dixon;
A bill (H. R. 3302) granting an increase of pension to Henry G. Wheeler;

A bill (H. R. 3907) granting an increase of pension to John A. Sare;

A bill (H. R. 4437) granting an increase of pension to Absalom Case;

A bill (H. R. 4923) granting a pension to William L. Whetsell;

A bill (H. R. 5007) granting an increase of pension to James W. Messick;

A bill (H. R. 5718) granting an increase of pension to James M. Blade;

A bill (H. R. 5792) granting an increase of pension to Andrew J. Reeves;

A bill (H. R. 7130) granting a pension to Elizabeth Lowden;

A bill (H. R. 7385) granting an increase of pension to John Kelly, second;

A bill (H. R. 7680) granting an increase of pension to David C. Yakey;

A bill (H. R. 7766) granting an increase of pension to John Huffman;

A bill (H. R. 7779) granting an increase of pension to William Belk;

A bill (H. R. 7815) granting a pension to Nancy A. Killough;

A bill (H. R. 8152) granting an increase of pension to William S. Hutchinson;

A bill (H. R. 8175) granting an increase of pension to John W. Covey;

A bill (H. R. 8247) granting an increase of pension to Francis M. McCoy;

A bill (H. R. 8447) granting an increase of pension to John McArthur;

A bill (H. R. 8721) granting an increase of pension to Joseph Westbrook;

A bill (H. R. 9153) granting an increase of pension to John D. Binford;

A bill (H. R. 9611) granting a pension to Maria M. C. Smith;

A bill (H. R. 9658) granting an increase of pension to Robert Stewart;

A bill (H. R. 9734) granting an increase of pension to John P. Peterman;

A bill (H. R. 9776) granting an increase of pension to Alice A. Fitch;

A bill (H. R. 10214) granting an increase of pension to Henry Thomas;

A bill (H. R. 10219) granting an increase of pension to J. Banks Hunter;

A bill (H. R. 10350) granting a pension to Rebecca Piper;

A bill (H. R. 10757) granting an increase of pension to Lewis Fishbaugh;

A bill (H. R. 10826) granting an increase of pension to Josiah S. Fay;

A bill (H. R. 11197) granting a pension to the minor children of Daniel J. Reedy;

A bill (H. R. 11280) granting an increase of pension to Henry J. Feltus;

A bill (H. R. 11339) granting a pension to Augustus Blount;

A bill (H. R. 11485) granting a pension to Julia McCarthy;

A bill (H. R. 11694) granting an increase of pension to Dennis F. Andre;

A bill (H. R. 12315) granting an increase of pension to Henry M. Posey;

A bill (H. R. 12324) granting a pension to Cora E. Brown;

A bill (H. R. 12413) granting an increase of pension to William Zickerick;

A bill (H. R. 12563) granting an increase of pension to Horace Fountain;

A bill (H. R. 12683) granting a pension to Sarah L. Bates;

A bill (H. R. 12701) granting an increase of pension to Milton Noakes;

A bill (H. R. 12812) granting an increase of pension to Otis T. Hooper;

A bill (H. R. 12877) granting an increase of pension to James N. Gates;

A bill (H. R. 12902) granting a pension to Julia Lee;

A bill (H. R. 12981) granting a pension to Sarah A. Waltrip;

A bill (H. R. 13127) granting a pension to Nancy Works;

A bill (H. R. 13200) granting an increase of pension to Charles B. Greeley;

A bill (H. R. 13233) granting a pension to William A. Nelson;

A bill (H. R. 13262) granting an increase of pension to James M. Spencer;
 A bill (H. R. 13353) granting an increase of pension to George Thompson;
 A bill (H. R. 13463) granting an increase of pension to Hiram A. Hober;
 A bill (H. R. 13472) granting an increase of pension to Lewis E. Wilcox;
 A bill (H. R. 13839) granting an increase of pension to John W. B. Huntsman;
 A bill (H. R. 13944) granting a pension to Margaret Ann West;
 A bill (H. R. 13955) granting an increase of pension to Jesse A. McIntosh;
 A bill (H. R. 13997) granting an increase of pension to Lyman A. L. Gilbert;
 A bill (H. R. 14185) granting an increase of pension to Albert Blood;
 A bill (H. R. 14256) granting an increase of pension to Jesse R. Dewstoe;
 A bill (H. R. 14262) granting a pension to Harriet Robertson;
 A bill (H. R. 14265) granting an increase of pension to Helen N. Packard;
 A bill (H. R. 14273) granting a pension to John H. Widden;
 A bill (H. R. 14373) granting an increase of pension to William H. Loyd;
 A bill (H. R. 14751) granting an increase of pension to Regina F. Palmer;
 A bill (H. R. 14836) granting a pension to Rebecca L. Chambers;
 A bill (H. R. 14837) granting a pension to John H. Roberts;
 A bill (H. R. 14913) granting an increase of pension to Ann M. Morrison;
 A bill (H. R. 15063) granting an increase of pension to William R. Thompson;
 A bill (H. R. 15112) granting a pension to Matilda A. Marshall;
 A bill (H. R. 15113) granting an increase of pension to John Murphy;
 A bill (H. R. 15114) granting an increase of pension to Alonzo F. Canfield;
 A bill (H. R. 15229) granting a pension to James T. Jackson;
 A bill (H. R. 15385) granting an increase of pension to Alfred J. Sellers;
 A bill (H. R. 15396) granting an increase of pension to George H. Stone;
 A bill (H. R. 15398) granting an increase of pension to Andrew W. Miller;
 A bill (H. R. 15416) granting an increase of pension to William Thompson;
 A bill (H. R. 15433) granting an increase of pension to William Heywood;
 A bill (H. R. 15441) granting an increase of pension to Josiah Stackpole;
 A bill (H. R. 15549) granting an increase of pension to John Wright;
 A bill (H. R. 15648) granting an increase of pension to Lester H. Salsbury;
 A bill (H. R. 15682) granting an increase of pension to Jared P. Hubbard;
 A bill (H. R. 15729) granting an increase of pension to Abner M. Judkins;
 A bill (H. R. 15789) granting an increase of pension to Benjamin Cooper;
 A bill (H. R. 15874) granting an increase of pension to Rebecca R. Greer;
 A bill (H. R. 15999) granting an increase of pension to William F. Loomis;
 A bill (H. R. 16011) granting an increase of pension to Morton A. Leach; and
 A bill (H. R. 16224) granting an increase of pension to William Montgomery.

PETITIONS AND MEMORIALS.

Mr. PENROSE presented a memorial of 34 citizens of Warren, Pa., remonstrating against the repeal of the present anticaneen law; which was referred to the Committee on Military Affairs.

He also presented petitions of the congregation of the United Brethren Church of Dillsburg; of sundry church members of Philadelphia; of Valley Grange, No. 1190, Patrons of Husbandry, of Farmers Valley; of the congregation of the First Methodist Protestant Church of Pittsburg; of the congregation of the First Presbyterian Church of Sheridanville; of the congregation of the Mount Washington Presbyterian Church, of Pittsburg; of the College Hill Christian Endeavor Society, of Beaver Falls, and of the general assembly's permanent committee on temperance of the Presbyterian Church, of Pennsylvania, all in the State of Pennsylvania, praying for the enactment of legislation to prohibit the

sale of intoxicating liquors in Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the congregation of the Mount Washington United Presbyterian Church, of Pittsburg; of the congregation of the Mount Washington Methodist Protestant Church, of Pittsburg; of the College Hill Christian Endeavor Society, of Beaver Falls; of the congregation of the United Presbyterian Church of Pittsburg, and of 73 citizens of Carbondale, all in the State of Pennsylvania, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in immigrant stations; which were ordered to lie on the table.

He also presented petitions of Local Union No. 58, of Easton; of Glass Bottle Blowers' Association No. 10, of Royersford, and of Local Union No. 917, of Olyphant, all of the American Federation of Labor, in the State of Pennsylvania, praying for the passage of the so-called eight-hour bill; which were ordered to lie on the table.

Mr. TALIAFERRO presented a petition of the congregation of the First Congregational Church of Daytona, Fla., praying for the enactment of legislation to exclude illiterate immigrants and also to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

Mr. KEAN presented a memorial of the Society for the Prevention of Cruelty to Animals of Elizabeth, N. J., and a memorial of the Society for the Prevention of Cruelty to Animals of Newark, N. J., remonstrating against the enactment of legislation relative to the interstate transportation of live stock; which were referred to the Committee on Interstate Commerce.

He also presented memorials of the Woman's Christian Temperance Union of Allendale; of George La Monte, of Bound Brook, and of the Woman's Christian Temperance Union of Wortendyke, all in the State of New Jersey, remonstrating against the repeal of the present anticaneen law; which were referred to the Committee on Military Affairs.

He also presented the petition of Rev. George T. Flichtner, of Englewood, N. J., praying for the enactment of legislation to recognize and promote the efficiency of chaplains in the Army; which was referred to the Committee on Military Affairs.

He also presented a memorial of the John Moses & Sons Company, of Trenton, N. J., remonstrating against the passage of the so-called eight-hour bill; which was ordered to lie on the table.

He also presented petitions of H. K. Slack, of Trenton; of Typographical Union No. 150, American Federation of Labor, of Elizabeth, and of Local Union No. 13, American Federation of Labor, of Newark, all in the State of New Jersey, praying for the passage of the so-called eight-hour bill; which were ordered to lie on the table.

Mr. FOSTER of Washington presented a petition of Rev. Charles J. Grimes, of Tacoma, Wash., praying for the enactment of legislation to recognize and promote the efficiency of Army chaplains; which was referred to the Committee on Military Affairs.

Mr. GALLINGER presented a petition of the Mount Pleasant Citizens' Association of the District of Columbia, praying for the enactment of legislation to authorize the advance from the United States Treasury of money to pay for extraordinary expenditures in the District of Columbia; which was referred to the Committee on Appropriations.

Mr. BURTON presented a petition of Parsons Division, No. 161, Order of Railway Conductors, of Parsons, Kans., praying for the passage of the so-called eight-hour bill; which was ordered to lie on the table.

He also presented the petition of Rev. W. L. Rose, of Kansas, praying for the enactment of legislation to exclude illiterate immigrants, and also to prohibit the sale of intoxicating liquors in Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of Carpenters and Joiners' Union No. 499, of Leavenworth, Kans., praying that the homestead law be amended so that the public lands can only be acquired by actual settlers; which was referred to the Committee on Public Lands.

He also presented a memorial of the Trades Assembly of Kansas City, Kans., remonstrating against the repeal of the revenue-stamp act on eighth kegs of beer, and also that the desert-land law may be amended so that the desert lands can only be acquired by actual settlers; which was referred to the Committee on Finance.

Mr. DUBOIS presented a memorial of sundry citizens of St. Joe, Idaho, and a memorial of sundry citizens of Wardner, Idaho, remonstrating against the repeal of the desert-land law and the commutation clause of the homestead act; which were referred to the Committee on Public Lands.

Mr. FLATT of Connecticut. I present a resolution of the general assembly of the State of Connecticut, favoring legislation

removing the duty on coal of all kinds. I ask that the resolution be printed in the RECORD and, as the bill has been passed, that it lie on the table.

There being no objection, the resolution was ordered to lie on the table and to be printed in the RECORD, as follows:

STATE OF CONNECTICUT, OFFICE OF THE SECRETARY,
GENERAL ASSEMBLY,
January Session, A. D. 1903.

Instructing the Senators and Representatives in Congress to favor the abolition of the duty on coal.

Resolved by this assembly: 1. That the United States Senators from this State are hereby instructed and the Representatives in Congress are requested to urge before Congress the passage of an act removing immediately and absolutely the duty on coal of all kinds.

2. That the secretary of this State is requested to send a copy of this resolution to each of the Senators and Representatives in Congress from this State.

House of representatives, passed January 13, 1903.
Senate concurs, January 13, 1903.

STATE OF CONNECTICUT, Office of the Secretary, ss:

I, Charles G. R. Vinal, secretary of the State of Connecticut and keeper of the seal thereof and of the original record of the acts and resolutions of the general assembly of said State, do hereby certify that I have compared the annexed copy of the resolution instructing the Senators and Representatives in Congress to favor the abolition of the duty on coal with the original record of the same now remaining in this office, and have found the said copy to be a correct and complete transcript thereof.

And I further certify that the said original record is a public record of the said State of Connecticut now remaining in this office.

In testimony whereof I have hereunto set my hand and affixed the seal of said State, at Hartford, this 26th day of January, 1903.

[SEAL.] CHARLES G. R. VINAL, Secretary.

Mr. PLATT of Connecticut presented the petition of Laura A. Wilford and 27 other citizens of Branford, Conn., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in Government buildings; which was referred to the Committee on Public Buildings and Grounds.

Mr. FRYE presented a petition of the New England Shoe and Leather Association, of Boston, Mass., praying for the ratification of the so-called Hay-Bond treaty; which was referred to the Committee on Foreign Relations.

He also presented a petition of the National Board of Trade, praying for the adoption of certain amendments to the present bankruptcy law; which was ordered to lie on the table.

He also presented a petition of the National Board of Trade, praying for the enactment of legislation giving full protection to the trade-marks of commerce, both foreign and domestic, etc.; which was referred to the Committee on Patents.

REPORTS OF COMMITTEES.

Mr. BERRY, from the Committee on Commerce, to whom was referred the bill (S. 6754) authorizing the city of Batesville, Ark., to draw water from the pool of Dam No. 1, Upper White River, reported it without amendment.

Mr. TURNER, from the Committee on Commerce, to whom the subject was referred, submitted a report accompanied by a bill (S. 7168) to establish a port of delivery at Salt Lake City, Utah; which was read twice by its title.

He also, from the same committee, to whom was referred the bill (S. 6955) to establish Salt Lake City, in the State of Utah, as a port of entry in the customs collection district of Utah, and for other purposes, reported adversely thereon, and the bill was postponed indefinitely.

Mr. GALLINGER, from the Committee on Commerce, to whom was referred the bill (S. 7044) to authorize the President to detail officers of the Revenue-Cutter Service as superintendents or instructors in the public marine schools, reported it without amendment, and submitted a report thereon.

Mr. ELKINS, from the Committee on Commerce, to whom was referred the bill (S. 6950) to amend an act entitled "An act to authorize the construction of bridges across the Ohio River, and to prescribe the dimensions of the same," approved December 17, 1872, and an act supplementary thereto, approved February 14, 1883, reported it with amendments, and submitted a report thereon.

Mr. CARMACK, from the Committee on Pensions, to whom was referred the bill (H. R. 16564) granting an increase of pension to James Hunter, reported it without amendment, and submitted a report thereon.

Mr. TALIAFERRO, from the Committee on Pensions, to whom was referred the bill (H. R. 14604) granting an increase of pension to Asa C. Hill, reported it without amendment, and submitted a report thereon.

Mr. GALLINGER, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 6652) granting an increase of pension to Leander W. Cogswell; and

A bill (S. 6843) granting an increase of pension to A. Paul Horne.

Mr. GALLINGER, from the Committee on Pensions, to whom

were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 15571) granting an increase of pension to John Macfarlane;

A bill (H. R. 4059) granting an increase of pension to Julia A. Cook; and

A bill (H. R. 16358) granting an increase of pension to Benjamin W. Walker.

Mr. WARREN, from the Committee on Military Affairs, to whom was referred the bill (H. R. 8663) to remove the charge of desertion from the military record of Charles F. Woodford and grant him an honorable discharge, reported it with an amendment, and submitted a report thereon.

Mr. DEBOE, from the Committee on Pensions, to whom was referred the bill (H. R. 12316) granting an increase of pension to Weden O'Neal, reported it without amendment, and submitted a report thereon.

Mr. TURNER, from the Committee on Pensions, to whom was referred the bill (H. R. 7334) granting an increase of pension to Ira L. Evans, reported it without amendment, and submitted a report thereon.

Mr. ALGER, from the Committee on Military Affairs, to whom was referred the bill (H. R. 9360) for the improvement and care of Confederate mound, in Oak Woods Cemetery, Chicago, Ill., and making an appropriation therefor, reported it without amendment.

Mr. PRITCHARD, from the Committee on Pensions, to whom was referred the bill (S. 6702) granting a pension to Emelie Lawrence Reed, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 14789) granting an increase of pension to David Brobst; and

A bill (H. R. 14952) granting an increase of pension to Leonard S. Grove.

Mr. FORAKER, from the Committee on Military Affairs, to whom was referred the amendment submitted by himself on the 28th instant, intended to be proposed to the bill (H. R. 15449) to increase the efficiency of the Army, reported favorably thereon, and the amendment was ordered to lie on the table, and be printed.

Mr. COCKRELL, from the Committee on Military Affairs I present a supplementary report to Senate Report No. 2406 to accompany the bill (H. R. 11621) to correct the military record of H. J. Rowell, which was adversely reported from that committee and indefinitely postponed. This is additional information confirmatory of that report, and I ask that it be printed.

The PRESIDENT pro tempore. The supplementary report will be printed.

DEPARTMENT OF LABOR AND COMMERCE.

Mr. HANNA. I am instructed by the Committee on Commerce, to whom were referred the bill (S. 569) to establish the department of commerce and labor and the amendment of the House of Representatives thereto, to recommend a disagreement to the House amendment and ask for a conference on the disagreeing votes of the two Houses.

The PRESIDENT pro tempore. The Senator from Ohio moves that the Senate disagree to the amendment of the House of Representatives and request a conference.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. HANNA, Mr. NELSON, and Mr. CLAY were appointed.

COLUMBIA RIVER IMPROVEMENTS.

Mr. MALLORY. I am directed by the Committee on Commerce, to whom was referred the bill (S. 6867) to authorize the building of dams and other improvements in the Columbia River, in the State of Washington, to report it favorably with amendments and to submit a report thereon.

Mr. FOSTER of Washington. I ask unanimous consent for the present consideration of the bill just reported by the Senator from Florida.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The first amendment was, in section 1, page 2, line 2, after the word "purposes," to insert:

Provided, That in the judgment of the Secretary of War the work herein authorized may be carried out without injury to navigation interests, and that the plans and specifications for the work shall be submitted to and approved by him prior to its commencement: *Provided further*, That the Secretary of War in approving the aforesaid plans and specifications may impose such terms and conditions as he may decide to be necessary for the protection of the public interests: *And provided further*, That nothing in this act shall be construed as a surrender or waiver by the Federal Government of its rights to improve the Columbia River at the locality herein mentioned, and whenever Congress adopts a project for such improvement the said

grantee shall upon direction by the Secretary of War modify, change, or entirely remove any structures built under authority of this act, and the right to maintain such structures shall thereupon cease and determine, and said modification, change, or removal shall be at the expense of the grantee, and the Federal Government shall not be liable for any loss or damage the said grantee may sustain by reason thereof or by reason of any plan which Congress may hereafter adopt with respect to the said waterway.

The amendment was agreed to.

The next amendment was to add to the bill the following additional section:

SEC. 3. That the rights and privileges hereby granted shall cease and determine unless the work authorized shall be commenced within two years and completed within five years from the date of the approval of this act.

The amendment was agreed to.

The next amendment was to add at the end of the bill the following additional section:

SEC. 4. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The PRESIDENT pro tempore. The committee also reports to strike out the preamble. The preamble will be stricken out, without objection.

ST. CROIX RIVER DAM.

Mr. NELSON. I am directed by the Committee on Commerce, to whom was referred the bill (S. 7063) permitting the building of a dam across the St. Croix River at or near the village of St. Croix Falls, Polk County, Wis., to report it favorably with amendments, and to submit a report thereon. I ask for its present consideration.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. The bill was reported from the Committee on Commerce with amendments.

The first amendment was, on page 1, in section 1, line 3, before the word "Croix," to strike out "Saint" and insert "St.;" in line 4, after the word "Falls," to strike out the comma, and in the same line, after the word "Wisconsin," to strike out the comma; in line 5, before the word "Croix," to strike out "Saint" and insert "St.;" in line 6, after the word "Falls," to strike out the comma, and in the same line, after "Minnesota," to strike out the comma; on page 2, line 2, before the word "Croix," to strike out "Saint" and insert "St.;" in the same line, after the word "Falls," to strike out the comma, and in the same line, after the word "Wisconsin," to strike out the comma; in line 3, before the word "Croix," to strike out "Saint" and insert "St.;" in the same line, after the word "Falls," to strike out the comma, and in the same line, after the word "Minnesota," to strike out the comma; and in line 9, after the word "further," to strike out:

That such dam and the appurtenant works shall be so constructed as to permit the free passage of saw logs without unreasonable hindrance and delay.

And to insert:

That there shall be placed and maintained in connection with said dam a sluiceway so arranged as to permit logs, timber, and lumber to pass around, through, or over said dam without unreasonable delay or hindrance, and without toll or charges; that the Government of the United States may at any time construct in connection therewith a suitable lock for navigation purposes; may at any time, without compensation, control the said dam for purposes of navigation, but shall not destroy the water power created by said dam to any greater extent than may be necessary to provide proper facilities for navigation, and that the Secretary of War may at any time require and enforce, at the expense of the owners, such modifications and changes in the construction of said dam and may make such regulations for the operation of said dam as he may deem advisable in the interests of navigation.

The amendment was agreed to.

The next amendment was, in section 3, page 2, line 20, after the word "be," to insert "commenced within two years and;" so as to make the section read:

SEC. 3. That this act shall be null and void unless the dam herein authorized be commenced within two years and completed within five years from the time of the passage of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill permitting the building of a dam across the St. Croix River at or near the village of St. Croix Falls, Polk County, Wis."

LIGHT-HOUSE DEPOT, BOSTON HARBOR.

Mr. NELSON. I am directed by the Committee on Commerce, to whom was referred the bill (S. 7043) to establish a light-house depot for the second light-house district, Boston Harbor, Massachusetts, to report it favorably with amendments.

Mr. LODGE. I ask that the bill may have present consideration.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The amendments of the Committee on Commerce were, in section 1, line 5, before the word "thousand," to strike out "fifty" and insert "one hundred;" and in line 6, after the word "dollars," to insert "or so much thereof as may be necessary;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to expend, out of any money in the Treasury not otherwise appropriated, the sum of \$100,000, or so much thereof as may be necessary, for the location and establishment of a light-house depot for the Second light-house district in Boston Harbor, Massachusetts.

SEC. 2. That that part of the act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1903, approved June 23, 1902, appropriating the sum of \$25,000 for the establishment of a light-house depot at Castle Island, Boston Harbor, Massachusetts, be, and the same is hereby, repealed.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CARTER B. HARRISON.

Mr. CARMACK. I am instructed by the Committee on Pensions, to whom was referred the bill (H. R. 11139) granting a pension to Carter B. Harrison, to report it favorably, with an amendment, and I ask for its present consideration.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The amendment of the committee was in line 6, after the word "late," to strike out "adjutant" and insert "captain Company C," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Carter B. Harrison, late captain Company C, Fifty-first Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$20 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

SMYRNA RIVER, DELAWARE, IMPROVEMENT.

Mr. PENROSE. I am directed by the Committee on Commerce, to whom was referred the bill (S. 7152) to amend an act entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved June 13, 1902, to report it favorably, without amendment, and I ask for its present consideration.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to amend the act so that the paragraph thereof providing for the improvement of the Smyrna River, Delaware, shall read as follows:

Improving Smyrna River, Delaware, in accordance with the report submitted in House Document No. 90, Fifty-sixth Congress, second session, \$15,000: *Provided*, That no part of said amount shall be expended until a satisfactory title to the land required for crosscuts and other portions of this improvement shall be obtained without expense to the Government: *And provided further*, That nothing herein shall be construed as preventing such modification or change in the location of the proposed crosscuts as may be approved by the Chief of Engineers.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BUILDINGS AT FORT BRADY, MICH.

Mr. ALGER. I am instructed by the Committee on Military Affairs, to whom was referred the bill (S. 7148) replacing burned buildings at Fort Brady, Mich., to report it with an amendment, and I ask for its immediate consideration.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to appropriate \$128,400 for the construction, complete, including plumbing, water supply, sewerage, heating and lighting appliances, of barracks for four companies of infantry at Fort Brady, Mich., to replace buildings at that post wholly destroyed by fire on the 2d of January, 1903, the funds to be immediately available.

The amendment of the Committee on Military Affairs was, in line 5, before the word "construction" to insert "re," so as to read "reconstruction."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

STOCKBRIDGE AND MUNSEE INDIANS.

Mr. QUARLES. I am directed by the Committee on Indian Affairs, to whom was referred the bill (S. 3620) to provide for the allotment of lands in severalty to the Stockbridge and Munsee tribe of Indians, to authorize the distribution of their trust fund, and for other purposes, to report it favorably without amendment, and I ask unanimous consent for its immediate consideration.

The Secretary read the bill, and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

BILLS INTRODUCED.

Mr. PENROSE introduced a bill (S. 7169) authorizing the purchase of 5,000 copies of March's Thesaurus; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the Library.

He also introduced a bill (S. 7170) for the relief of the estate of the late John Jacoby; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 7171) for the relief of the Old Dominion Granite Company; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 7172) to grant an honorable discharge from the military service to Adolph F. Hitchler; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 7173) granting an increase of pension to John M. Thomas; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. DILLINGHAM introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 7174) granting a pension to Rosa E. Pennell (with the accompanying paper); and

A bill (S. 7175) granting a pension to Carlos H. Rich.

Mr. ALDRICH introduced a bill (S. 7176) granting a pension to Jennie W. Rhoades; which was read twice by its title, and referred to the Committee on Pensions.

Mr. WELLINGTON introduced a bill (S. 7177) granting an increase of pension to Blanche L. Chunn; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McCUMBER introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 7178) for the relief of the estate of Ramsay Crooks;

A bill (S. 7179) for the relief of Pay Clerk Charles Blake, United States Navy;

A bill (S. 7180) for the relief of Paymaster James E. Tolfree, United States Navy; and

A bill (S. 7181) for the relief of the estate of Ramsay Crooks.

Mr. BURTON introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 7182) granting a pension to William McHenry; and

A bill (S. 7183) granting a pension to Otis P. Tolles, with the accompanying papers.

Mr. BLACKBURN introduced a bill (S. 7184) for the relief of W. R. Austin & Co.; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. PLATT of Connecticut introduced a bill (S. 7185) to authorize the board of commissioners for the Connecticut bridge and highway district to construct a bridge across the Connecticut River at Hartford, in the State of Connecticut; which was read twice by its title, and referred to the Committee on Commerce.

Mr. HOAR introduced a bill (S. 7186) granting a pension to Mary C. Couch; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. MORGAN introduced a joint resolution (S. R. 160) to authorize A. G. Menocal to accept a decoration; which was read twice by its title, and referred to the Committee on Foreign Relations.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. TURNER submitted an amendment proposing to appropriate \$2,000 to enable the Committee on Interoceanic Canals to prepare a compilation of bills, reports, documents, and debates on the subject of an isthmian canal, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Interoceanic Canals, and ordered to be printed.

Mr. CULBERSON submitted an amendment proposing to ap-

propriate \$15,000 to enable the Secretary of Agriculture to secure, by breeding, strains of cotton resistant to boll weevil and root rot, intended to be proposed by him to the agricultural appropriation bill; which was referred to the Committee on Agriculture and Forestry, and ordered to be printed.

Mr. STEWART submitted an amendment proposing to increase the salary of the sanitary and food inspector of the District of Columbia from \$1,800 to \$2,400, and proposing to appropriate \$100,000 for continuing the construction of a bridge across Rock Creek on the line of Connecticut avenue extended, in the District of Columbia, intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

Mr. GALLINGER submitted an amendment proposing to appropriate \$6,000 for paving Yale street from Thirteenth street to Fourteenth street, in the District of Columbia, intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

He also submitted an amendment proposing to increase the salaries of the judges of the police court, District of Columbia, from \$3,000 to \$4,000 per annum, intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

Mr. FOSTER of Washington submitted an amendment proposing to appropriate \$15,000 for the construction of a light-house and fog-signal station at the west end of Burrows Island, in Puget Sound, State of Washington, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

He also submitted an amendment proposing to appropriate \$5,000 for paving old Sixteenth street from Columbia road to Kenesaw avenue, in the District of Columbia, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

He also submitted an amendment proposing to appropriate \$300,000 to enable the Commissioners of the District of Columbia to purchase land for the extension of School street and to establish a public park in John Sherman's subdivision in the District of Columbia, intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

Mr. BURROWS submitted an amendment providing for the establishment of a life-saving station at or near Eagle Harbor, on Keweenaw Point, Michigan, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

He also submitted an amendment proposing to appropriate \$111,143.16 in payment to the Ottawa and Chippewa Indians, of Michigan, for the funds and interest thereon which were covered into the Treasury of the United States on March 9, 1885, intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

WOODSMAN'S HANDBOOK.

Mr. GALLINGER. I offer the resolution which I send to the desk, which I desire to have referred to the Committee on Printing.

The PRESIDENT pro tempore. The resolution will be read.

The Secretary read the resolution, as follows:

Resolved, That 5,000 copies of the Woodsman's Handbook, part 1, being Bulletin 36, Bureau of Forestry, United States Department of Agriculture, be printed and bound at the Government Printing Office for the use of the Senate.

Mr. GALLINGER. Mr. President, I desire simply to say, for the information in advance of the distinguished Senator from New York [Mr. PLATT] who is chairman of the Committee on Printing that this is one of the few practical books that Senators may have for distribution among their constituents. The Department of Agriculture printed an edition, which is entirely exhausted, and I have a very considerable number of applications now on file for it. I hope the Senator will give the resolution immediate attention.

The PRESIDENT pro tempore. The resolution will be referred to the Committee on Printing.

OREGON AND WASHINGTON INDIAN WAR.

Mr. SIMON submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That there be printed for the use of the Senate 2,500 copies of House of Representatives Executive Document No. 48, Thirty-fifth Congress, first session, being letter from the Secretary of the Interior transmitting, in response to a resolution of the House, a report on the Indian war in Oregon and Washington Territories.

HYDROGRAPHY OF THE AMERICAN ISTHMUS.

Mr. MORGAN submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the part of the Geological Survey, made to the present Congress, as to the hydrography of the American isthmus, by Arthur Powell Davis, be printed as a document for the use of the Senate.

HEARINGS ON PURE-FOOD BILLS.

Mr. McCUMBER submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That 2,500 copies of the additional hearings before the Committee on Manufactures upon the pure-food bills, be printed, 2,000 copies for the use of the Senate, and 500 copies for the use of the Committee on Manufactures.

CUBAN RECIPROCITY.

Mr. DIETRICH. I offer the resolution which I send to the desk, and I ask that it be printed and ordered to lie on the table for the present.

The PRESIDENT pro tempore. The resolution submitted by the Senator from Nebraska will be read.

The Secretary read the resolution, as follows:

Resolved, That the Committee on Relations with Cuba be discharged from any further consideration of House bill 12765 and all other bills pertaining to Cuban reciprocity.

Mr. DIETRICH. Mr. President, I give notice that I expect to address the Senate upon the resolution in a few days. It is evident that Cuban reciprocity and other important measures are being held in status QUAY; that unless some relief soon comes to Cuba the island will be depopulated by starvation, and American industries will suffer until there will be another panic in the United States.

The PRESIDENT pro tempore. The resolution will be printed and lie on the table, subject to the call of the Senator.

COURTS-MARTIAL IN THE PHILIPPINES.

The PRESIDENT pro tempore. If there be no further concurrent or other resolutions, the Chair lays before the Senate a resolution coming over from a previous day, which will be read.

The Secretary read the resolution submitted by Mr. RAWLINS on the 27th instant, as follows:

Be it resolved by the Senate, That the Secretary of War is hereby directed to inform the Senate what courts-martial have been ordered and held in the Philippine Islands, and what judgments rendered by them in consequence of the dispatch sent by the Secretary of War to Major-General Chaffee referred to in the memorandum of the Secretary of War for the Adjutant-General under date of April 15, 1902; also what action was taken by the President or the Secretary of War on the judgment of any court-martial so ordered, either approving or disapproving the same.

Also, that the records in full of the several following courts-martial ordered and held in the Philippine Islands be communicated, to wit:

That on Brig. Gen. Jacob H. Smith.
That on Maj. Edwin F. Glenn, Fifth Infantry.
That on Lieut. Edwin A. Hickman, First Cavalry.
That on Lieut. J. H. A. Day, Marine Corps.
That on Maj. L. W. T. Waller, of the Marine Corps.
That on Lieut. Preston Brown, Second Infantry.
That on Capt. James A. Ryan, Fifteenth Cavalry.
That on Lieut. ——— Cooke.
That on Lieut. Julian E. Galyot.
That on Lieut. N. E. Cook, of the Philippine Scouts.
That on Lieut. W. S. Sinclair, battalion adjutant, Twenty-eighth Infantry.

Also, any record or reports of investigations which may be on file in the War Department relating to the case of the so-called "Father Augustine," alleged to have been put to death by Cornelius M. Brownell, formerly a captain of the Twenty-sixth Volunteer Infantry, at Banate, island of Panay, province of Iloilo, in December, 1900, also any investigations made by the Department of Justice into the facts of such case, together with any legal conclusions reached thereon and reported to the War Department.

Mr. ALDRICH. The Senator from Mississippi [Mr. McLAURIN] gave notice that he intended to speak upon the resolution this morning.

Mr. McLAURIN of Mississippi. I gave notice, Mr. President, that I intended to make only a few remarks on this question. Yesterday at the close of the morning hour, when the resolution had been discussed for some time, it was my desire, if I could then have gotten a minute or two, to have made a suggestion in regard to it.

Mr. CLAY. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Mississippi yield to the Senator from Georgia?

Mr. McLAURIN of Mississippi. Certainly.

FIRST BAPTIST CHURCH OF CARTERSVILLE, GA.

Mr. CLAY. I ask unanimous consent for the present consideration of the bill (H. R. 1147) for the relief of the First Baptist Church of Cartersville, Ga. I am sure it will not lead to debate.

The PRESIDENT pro tempore. The Senator from Georgia asks unanimous consent that the pending business may be temporarily laid aside in order that the Senate may proceed to the consideration of the bill named by him. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Secretary of the Treasury to pay \$5,000 to the trustees or other legal repre-

sentatives of the First Baptist Church of Cartersville, Ga., or their successors in office, in trust for the use and benefit of the church, in full for all the damages claimed by the church, or any person heretofore or hereafter claiming to represent the church, for brick and all other building materials taken and used by the Army of the United States during the late war; and the acceptance by the trustees of this sum shall be in full satisfaction of all claims of every name and nature for the use or occupation of the church or the appropriation and use of the materials of the same, or in any manner arising or growing out of the use thereof.

Mr. QUAY. Mr. President, I should be glad if the Senator from Georgia would explain the purpose of this bill. I did not hear the reading of it. The Senator, as I understood, asked unanimous consent for the present consideration of the bill.

The PRESIDENT pro tempore. He did.

Mr. QUAY. I merely ask what is the character of the bill?

Mr. CLAY. It is simply to pay a claim of the First Baptist Church of Cartersville, Ga., which was destroyed. The bill was unanimously passed upon and reported three different times from the House committee, and had a unanimous report from the Senate committee. There is no objection to the bill.

Mr. QUAY. Has there been a written report made upon the bill?

Mr. CLAY. There is a report from the Committee on Claims.

Mr. QUAY. I should be very glad to hear the report read, Mr. President.

The PRESIDENT pro tempore. The report will be read.

The Secretary read the report submitted by Mr. Warren on the 28th instant, as follows:

The Committee on Claims, to whom was referred the bill (H. R. 1147) for the relief of the First Baptist Church of Cartersville, Ga., having had the same under careful consideration, beg leave to report it back to the Senate without amendment and to recommend that it do pass.

The facts in the case being fully set forth in House Report No. 197, Fifty-seventh Congress, first session, your committee have adopted that report, which reads as follows:

"The Committee on War Claims, to whom was referred the bill (H. R. 1147) for the relief of the First Baptist Church of Cartersville, Ga., beg leave to submit the following report and recommend that said bill do pass without amendment.

"The proof filed in support of the bill shows that in the year 1864, while the Army of the United States were in possession of said town of Cartersville, the Baptist church building was torn down by them and the brick and lumber of said church building were used by said United States soldiers in building for themselves quarters and in building chimneys to their tents. The brick and lumber taken and used by the Army was valued at the time at \$5,000.

"When buildings are torn down, if the materials are taken to erect other buildings for the use of the Army, such materials thereby become supplies, and their value, as materials for the purpose for which they are used, is paid to the owner. It is a very inadequate compensation to him; but this rule, which allows only for the materials as supplies, and nothing for damage to the building from which they are obtained, has been acted upon uniformly for many years, and is regarded as an established usage not to be departed from.

"Capt. George A. Clarke, late provost-marshal, makes the following affidavit:

"That from July 5 to November 12, 1864, he was captain of Company H, Fourth Minnesota Volunteer Infantry, and provost-marshal of the Third Division of the Fifteenth Army Corps, United States Army, and was stationed and in charge at Cartersville, Ga., and was well acquainted with the circumstances of the destruction of the First Baptist Church of said city. That about the last of the month of September or the first part of the month of October, 1864, a portion of the cavalry troops belonging to the command of General McCook were stationed in said city, and they took and carried away, for the construction of huts and shelters for themselves, the seats and pews of said church, and also stabled their horses in said church, and that afterwards, during the same fall, said troops and other United States troops tore down the walls of said church and used the brick and other materials of said building for the erection of chimneys to their huts and tents, and for their use and comfort.

"That said church was the property of the Baptist Church of said city to the best of deponent's knowledge and belief, and was used by them as a place of worship, and was a nice brick church, worth from \$5,000 to \$7,000. That said United States troops received the full benefit of the materials of said church buildings and the use thereof.

GEORGE A. CLARKE,

"Late Captain, Fourth Minnesota Volunteer Infantry, and Provost-

"Marshal Third Division, Fifteenth Army Corps, U. S. Volunteers.

"Sworn to and subscribed before me this June 24, 1889.

"F. M. DURHAM,

"Clerk Supreme Court, Bartow County, Ga.

"Your committee recommend the passage of the bill."

Mr. QUAY. I think I understand the case now, and so I shall not ask for any further reading of the report.

Mr. BEVERIDGE. Mr. President, I suggest in view of the fact—

The PRESIDENT pro tempore. Does the Senator from Pennsylvania yield to the Senator from Indiana?

Mr. QUAY. I do.

Mr. BEVERIDGE. Of course the reading of the report has now served the Senator's purpose, but I suggest, the report having been partly read to the Senator's satisfaction, that all of it ought to be read for the satisfaction of the other members of the Senate.

The PRESIDENT pro tempore. The report has been read entirely through.

Mr. BEVERIDGE. I thought it had not been, as the Senator

from Pennsylvania stated that he did not desire to have any more of it read.

Mr. QUAY. I did not know that the reading had been completed.

Mr. BEVERIDGE. Of course what was read served the Senator's purpose, but had it not all been read, I wanted to have it read through.

Mr. CLAY. I sincerely hope that the Senator from Indiana will allow the bill to pass.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HEIRS OF AARON VAN CAMP AND VIRGINIUS P. CHAPIN.

Mr. McCUMBER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Committee on Claims to the bill (S. 342) for the relief of the heirs of Aaron Van Camp and Virginius P. Chapin, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

1. That the Senate concur in that portion of the House amendment striking out all the words after the word "Documents," on lines 16 and 17, page 2, down to and including the word "Government," on line 19, page 2.
2. That the House recedes from all the balance of its amendment to said bill.

F. E. WARREN,
P. J. McCUMBER,
JAMES P. TALIAFERRO,
Managers on the part of the Senate.
JOSEPH V. GRAFF,
D. J. FOSTER,
CLAUDE KITCHEN,
Managers on the part of the House.

The report was agreed to.

ORDER OF BUSINESS.

Mr. QUAY. I rise, Mr. President, merely to inquire whether the morning business has been concluded?

The PRESIDENT pro tempore. There is a resolution pending before the Senate, coming over from a former day, on which the Senator from Mississippi [Mr. McLAURIN] has the floor, and has been recognized.

Mr. QUAY. I did not know that.

Mr. McLAURIN of Mississippi. Mr. President—

Mr. BURNHAM. Will the Senator from Mississippi yield to me to ask for the consideration of a private bill, which will take but a minute or two.

Mr. McLAURIN of Mississippi. I yield to the Senator for the purpose of asking for the taking up of the bill.

G. W. RATLEFF.

Mr. BURNHAM. I ask unanimous consent for the present consideration of the bill (S. 3354) for the relief of G. W. Ratleff.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Secretary of the Treasury to pay to G. W. Ratleff, of Ivey, W. Va., \$354, for building material taken by Union troops in the town of Buckhannon, W. Va., during the late war of the rebellion.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PATRICK O'DONNELL.

Mr. GALLINGER. I ask the Senator from Mississippi if he will permit me to ask for the consideration of a pension case that is of a most distressing nature, and which will take but a moment.

Mr. McLAURIN of Mississippi. I will.

Mr. GALLINGER. I ask unanimous consent for the present consideration of the bill (S. 6229) granting a pension to Patrick O'Donnell.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Pensions with amendments, in line 6, before the word "seaman," to strike out "a;" in the same line, after the word "seaman," to strike out "in the," and in line 7, before the word "dollars," to fill the blank by inserting "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Patrick W. O'Donnell, late seaman, United States Navy, and pay him a pension at the rate of \$30 per month.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

NELLIE ETT HEEN.

Mr. HANSBROUGH. Mr. President—

The PRESIDENT pro tempore. The Senator from Mississippi [Mr. McLAURIN] is entitled to the floor. Does he yield to the Senator from North Dakota?

Mr. McLAURIN of Mississippi. With pleasure.

Mr. HANSBROUGH. I ask unanimous consent for the present consideration of House bill 12240, which has been before the Senate once, and has been read.

The PRESIDENT pro tempore. The Senator from North Dakota asks unanimous consent for the present consideration of a bill, the title of which will be stated.

The SECRETARY. A bill (H. R. 12240) granting to Nellie Ett Heen the south half of the northwest quarter and lot 4 of section 2 and lot 1 of section 3, in township 154 north, of range 101 west, in the State of North Dakota.

The PRESIDENT pro tempore. This bill has once been read in full to the Senate as in Committee of the Whole.

Mr. ALDRICH. What bill is it? I should like to have the Senator from North Dakota explain it.

Mr. HANSBROUGH. Then I will allow the bill to be read again.

The PRESIDENT pro tempore. The bill will be read.

Mr. HANSBROUGH. There is quite a long preamble to the bill, and I think, perhaps, I can explain in a brief way the purpose of the bill.

The bill grants to Mrs. Heen a quarter section of land in the State of North Dakota. Mrs. Heen is the wife of an alien who came to this country from China in 1876, and who afterwards married an American woman. They had one child. Seven years ago he offered his filing in the land office at Minot, N. Dak., on a quarter section of land. The filing was accepted, he proceeded to make a residence upon the land, and has lived there constantly for seven years. Recently, when he undertook to make final proof on the land, the final proof was rejected because he was an alien.

Mr. President, this family has been laboring under peculiar hardships. This woman to whom it is proposed to make this grant of 160 acres of land is an American citizen, and I think it will be conceded that her child is an American citizen.

I do not believe that the passage of this bill will establish a bad precedent. I doubt if there is another case like it existing, or that there ever will be one.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. QUARLES. I understand that my colleague [Mr. SPOONER] when this bill was called up on a former occasion interposed an objection, and inasmuch as he is necessarily absent at this time, I feel constrained to object to the consideration of the bill.

Mr. HANSBROUGH. I hope the Senator will not object. I had a talk with the Senator's colleague about the matter. I do not care to detail the conversation I had with him on the subject after he had objected, but if the Senator had been present when that conversation was had with his colleague I am sure he would not object.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill.

Mr. ALDRICH. I did not ask to have the bill read for the purpose of interposing an objection; but after the allegations, which have been made here very freely, and I do not know but they have been made elsewhere, in regard to the bill validating certain Pima County bonds, I thought it was important that all bills relating to matters of this kind should be explained by some one; and I therefore asked the Senator from North Dakota to explain the bill.

Mr. HANSBROUGH. I trust the explanation has been to the satisfaction of the Senator.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The preamble was rejected.

COURTS-MARTIAL IN THE PHILIPPINES.

The Senate resumed the consideration of the resolution submitted by Mr. RAWLINS on the 27th instant, directing the Secretary of War to inform the Senate what courts-martial have been ordered and held in the Philippine Islands, etc.

Mr. McLAURIN of Mississippi. Mr. President, I repeat that if I could have obtained the floor yesterday morning to have made a few suggestions, which would not have taken more than two minutes, I should not have asked that the resolution retain its place on the table. I wanted to suggest, and do suggest, to the Senator from Massachusetts [Mr. LODGE], the chairman of the Philippines Committee, that he at least make no objection to that part of the resolution which requests the Secretary of War to send the records of the trial of Lieut. W. S. Sinclair.

As I remember, during the debate last session on the bill to raise revenue for the Philippine Islands and the bill for the government of the Philippine Islands, it came out in the papers that there had been a private soldier tortured to death by order of Lieutenant Sinclair. I was prepared to hear the argument and

statements made by those of the opposite political party from myself in the Chamber that what has occurred between the Filipinos and the American soldiers was just exactly what was to be expected when we started in this business of imperialism, when the war was declared—whenver that was I do not know, because I believe the Constitution of the United States requires that the Congress of the United States shall declare war—but anyway, when there was a state of war between the American Government and the Philippine Islands, it was to be expected by all those who had brought on the war by the treaty with Spain that turned over to us for \$20,000,000 the Philippine Islands and the Philippine people, that just exactly what has occurred there would occur—that the Filipinos, being an inferior race of people, a savage and barbarous race, would kill and torture American soldiers and American citizens who went to the islands, and that in retaliation American soldiers would torture to the extreme the Filipinos; that when it was shown that the most cruel torture, at least of the last century and the short part of this century, had been practiced in the Philippine Islands both by the Filipinos and our people; when it was shown that whole sections of the country were ordered to be laid waste by fire and sword, and when one-third of the population of some of the islands had been destroyed by the occupation of the islands by the American Government—whether by disease or whether by torture, or whatever was the cause—still one-third of the population in certain sections of the islands was destroyed; and when it was shown that old men had been taken out and robbed of their money, men who had been faithful to the flag of the United States ever since the acquisition of the territory—if it was acquired by the treaty with Spain—not only men who had been loyal to the Government of the United States, but who had in their possession the certificate of the American general commanding the army there of peculiarly good service to the American Government, had been taken out and robbed; when it was shown that men wearing the American uniform had outraged 12-year-old girls, and women with babes in the cradle not over 4 months old, and when they had taken the men of those islands and compelled them to dig their own graves and shot them down in their graves, it was said—

Mr. BEVERIDGE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Mississippi yield to the Senator from Indiana?

Mr. McLAURIN of Mississippi. I shall yield in a moment for a question only, but before I do let me finish my sentence.

Mr. BEVERIDGE. Certainly.

Mr. McLAURIN of Mississippi. It was said in substance by those who advocated this policy of imperialism that that was to have been expected, before the war commenced, when we took possession of the islands. That was the substance of the defense which was made for those acts. Now, what is the question of the Senator from Indiana?

Mr. BEVERIDGE. I ask the Senator what person it was who was wearing the uniform of the United States who outraged the women that he speaks about? I do not remember the name of any such person myself. I have no doubt the Senator does.

Mr. McLAURIN of Mississippi. I do remember. I will say to the Senator from Indiana that I read in the Senate in the discussion of this question on the 15th or 16th of May last—I do not remember which day, but I spoke on the 15th and 16th of May last—I read a report of an American officer, the inspector-general, Major McKenna, I believe it was, though I have not the RECORD now before me, detailing these very circumstances, and when that went to the brigadier-general for his action upon it he stated that these were Macabebe soldiers wearing the American uniform and that they were savages.

Mr. BEVERIDGE. They were not, then, American soldiers?

Mr. McLAURIN of Mississippi. Yes, sir; they were American soldiers. They were wearing the American uniform.

Mr. BEVERIDGE. I mean that even conceding the Senator's charge to be true, about which I know nothing—

Mr. McLAURIN of Mississippi. It is all in the record—

Mr. BEVERIDGE. But about which I have my own opinion—

Mr. McLAURIN of Mississippi. As the Senator will find if he will examine it.

Mr. BEVERIDGE. The Senator does not mean American volunteers from this country.

Mr. McLAURIN of Mississippi. No, sir; I do not mean them.

Mr. BEVERIDGE. That is the point.

Mr. McLAURIN of Mississippi. I mean they were American soldiers; and that is the objection I have to the policy of the party of the Senator from Indiana, that they are disgracing the uniform of the American soldier by putting it upon these Macabebe savages, and it ought never to have been put upon him. No policy can be justified and defended that puts the uniform upon those savages.

Now, I say, when all this is shown—

Mr. CARMACK. Mr. President—

The PRESIDING OFFICER (Mr. McCUMBER in the chair). Does the Senator from Mississippi yield to the Senator from Tennessee?

Mr. McLAURIN of Mississippi. With pleasure.

Mr. CARMACK. I suggest to the Senator that General—

Mr. BEVERIDGE. Over here we can not hear the Senator from Tennessee at all; none of us can.

Mr. CARMACK. I suggest that General Wheaton, in his report concerning certain outrages perpetrated by the Macabebe savages, said that when they were first employed in the service of the United States it was done with the apprehension that just such acts would be committed.

Mr. BEVERIDGE. Who was that?

Mr. CARMACK. General Wheaton. That they were Malay savages and were given to such practices. He said further that it was absolutely necessary, in order to carry on the war successfully, to employ these savages, as they were the only people in the Philippine Islands who were not hostile to the American Government.

Mr. McLAURIN of Mississippi. When we were discussing this question, it was stated substantially by the opposition party in the Senate, in the debate on the Philippine policy, that it was to be expected that there would be torture of our soldiers by the Filipinos and torture of the Filipinos by our soldiers. I have answered that by saying that that was just my objection to the policy of imperialism. But here is a case where it is not a Filipino who is tortured.

Grant, for the sake of this argument, that it is right—although we have the statement of the President of the United States that it is not right—but grant that the argument must be sustained by showing that it is right to torture Filipinos in retaliation for their torture of our soldiers, the American soldiers; grant that it ought to be defended here in the Senate of the United States, and that it is a good defense to say that these people have tortured American soldiers and therefore the American officers ought to torture the Filipinos; that where one American soldier's blood is shed there ought to be the blood of a hundred Filipinos shed, and that it ought to be shed by the most cruel torture that can be conceived in the human brain, yet does the policy of imperialism go to the extent that there must be torture of a private soldier, not a Filipino, not a Macabebe, but a private soldier of American birth, by the command of an American officer, without trial, and for what? Because he had gotten hold of some whisky or beer or wine, which, according to the report of the Secretary of War, compose the majority of exports from this country to Manila, and getting hold of it, became somewhat intoxicated and used some language to his superior officer that violated the regulations of the American Army.

I say, has it come to this, that an American-born citizen who volunteers in the American Army for the purpose of serving his country as a soldier shall be tortured to death by the officer who is in command of him, and that without trial, without court-martial, just because the private has used some language to the officer that he takes as an insult, the private being under the intoxicating influence of the beverage that goes across as the majority of the exports of this country to Manila? And must we be denied the benefit of the evidence upon which the officer who ordered this unlawful execution of the soldier was acquitted?

Mr. BEVERIDGE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Indiana?

Mr. McLAURIN of Mississippi. For a question I do, but not to inject a speech into mine.

Mr. BEVERIDGE. The Senator from Mississippi has never had the experience of having me inject a speech into any speech of his, and I do rise for a question.

The Senator is discussing the evils and infamies of what he calls the imperial policy, and citing instances. He has just cited the instance of a private soldier who he said was tortured to death by one of our officers for breach of discipline. Does the Senator connect that with the policy of acquiring the Philippines? Was that done simply because they were in the Philippines? Might not that have been done anywhere?

Mr. McLAURIN of Mississippi. The Senator has not caught my argument.

Mr. BEVERIDGE. Well, I have tried to.

Mr. McLAURIN of Mississippi. Yes, sir. I take it it is because I have not been able to make myself intelligible. I have said that the policy in the Philippine Islands and all the acts between the Filipinos and the American soldiers and officers there were justified, in substance, by the Republican party upon the ground that it was understood when this policy was embarked upon that just such things would occur. That is my objection

to the policy of imperialism, or one of the serious objections that I have to the policy of imperialism. It is not my only objection.

Mr. BEVERIDGE. Yes, Mr. President—

Mr. McLAURIN of Mississippi. The Senator will wait—

Mr. BEVERIDGE. I will.

Mr. McLAURIN of Mississippi. And give me an opportunity to answer his question. I have not said that the cruel torture of Richter—I believe that is his name—who I understand was an American citizen, of German parents, born in this country—was due to the Philippine policy, but I will say this: Of course it is a matter of conjecture with me as it is with the Senator from Indiana. In my opinion, if the American Army instead of being 7,000 miles from the American shore had been on the territory of the United States here at home, such a thing never would have been done, and never would have been dared to have been done by an American officer. I do not believe—and I believe my opinion about it is the opinion of the American people—that Lieutenant Sinclair, if he had been in the State of Indiana, would have dared to order the torture to death of that poor private soldier, who was helpless in the power of an officer in his command. That is what I say about it.

Mr. BEVERIDGE. Now, Mr. President, will the Senator permit me?

Mr. McLAURIN of Mississippi. I will hear a question.

Mr. BEVERIDGE. The Senator shows that I did catch his argument, and that in citing this case of punishment of a soldier for infraction of discipline he went out of the scope of his argument, because I now understand that he clearly disavows that this was caused by that.

Mr. McLAURIN of Mississippi. No, sir; I do not disavow that it was caused by his being in the Philippines. I merely stated that I had not said it was caused by that; but I am prepared to say, and have said now, since the Senator made the suggestion, that I believe, and it is reasonable to believe, that Lieutenant Sinclair never would have ordered the torture of that man if he had been in the Senator's State, the State of Indiana. I should like to know whether the Senator believes that Lieutenant Sinclair, if he had been quartered somewhere in Indiana, would have ordered the torture to death of this man?

Mr. BEVERIDGE. Mr. President, the excellent effect of living in Indiana, of course, will be admitted by everyone, and I am glad to hear the Senator call attention to it. At the same time I will not undertake to say what would have been the state of this lieutenant's mind whether he lived there or anywhere else. But the important thing has been declared, after all, that the Senator does think a severe punishment for an infraction of discipline was caused by the Philippine policy. He had not stated that before, and I am surprised, though glad, that he states it at last.

Mr. McLAURIN of Mississippi. Mr. President, I think myself Indiana is a very good State. It has favored us with two very good men for Senators in this body, and I have no reason to believe that they would permit in the State of Indiana the torture of a man to death. I can say this, that I do not believe there is a State in the Union where, if Sinclair, lieutenant as he was in the Army, had ordered the torture of a man to death, even though a man under his command as a private soldier, he would not have been taken before the courts and tried and convicted and either sentenced to the penitentiary for life or hanged for it. That is, if we have not come to that time in the history of the Republic when the military is superior to the civil authorities.

If we still recognize the civil authority as superior to the military authorities, the Senator knows and the Senate knows that if it be true, as the papers stated, that this man was tortured to death by order of Sinclair, without a trial and without a court-martial, without any charge being preferred against him officially, that Sinclair would have been guilty of murder and subject to the laws of the State where he committed the offense, and, being guilty of murder, he would have been tried and executed, and he ought to have been tried and executed if he did it as stated by the papers here. That is the reason why I am very anxious that objection in this particular case shall be waived by the dominant party in the Senate, for I know they have the power to vote down the resolution. I hope there is not anything in the trial of Lieutenant Sinclair the divulging of which would be detrimental to the Republican party. If there is, it ought to be brought out, and the people ought to know it, and they ought to have an opportunity to discipline that party.

This private soldier ought to be protected. The laws ought to protect the humblest private soldier in the American ranks. There ought to be no Macabebes employed, because they are not amenable to any law. They are not a law-abiding people themselves. They are not governed by law. The law ought to protect the humblest American citizen, whether he is in the ranks as a volunteer soldier or whether he is in civil life. What we want to accomplish, and what I want to ask, is that Senators

shall waive any objection to getting the facts as to this man Sinclair, because we ought to see upon what testimony Sinclair was acquitted of the murder of this man, when, I believe, the finding of the court was in effect that he was tortured to death by order of Sinclair because the private soldier, when under the influence of intoxicants, had used some offensive language to Sinclair.

I did not intend to say more than merely to ask that we be permitted to see the record of the trial of Sinclair. Since I am on my feet I want to say this in reference to the private soldier. I believe the private soldier ought to have some rights in the Army. I believe that private soldiers of the Army are such men as are entitled to some part in the discipline of the Army. I believe that the private soldiers of our Army are gentlemen. I believe that the personnel of the private soldiers of our Army compares favorably with the personnel of the officers, and that they ought to have some part in the discipline. Yet a private soldier has no more to do with the discipline of the Army, he has no more rights or liberties in the Army than a galley slave has. And there is no use to deny it.

It is true they have army regulations which say that an officer shall not impose upon the private soldier any menial service for the officer's own benefit and advantage. But how is the private soldier going to see that that is observed? Suppose he is ordered to black the shoes of the general? Suppose he is ordered to catch and saddle his horse and bridle him? Suppose he is ordered to brighten up the sword of the officer and he refuses to do so? There are so many ways—they are almost illimitable—by which the officer can impose hardships upon the private soldier that he is absolutely compelled to do this menial service when he is told to do it by command of the officer.

Mr. BEVERIDGE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Indiana?

Mr. McLAURIN of Mississippi. For a question.

Mr. BEVERIDGE. For a question. The Senator has made a very important suggestion, which is that the private should participate in the discipline which is exercised over him, and I wish to ask the Senator to suggest to the Senate and to the country just how he would practically carry that out?

Mr. McLAURIN of Mississippi. I suggested it in an amendment which I offered to the military bill some days ago, and the Senator's party voted it down before you could hardly have time to breathe.

Mr. BEVERIDGE. Mr. President—

Mr. McLAURIN of Mississippi. If the Senator will wait, I will state what my view is. I should make a provision that it should subject an officer to court-martial, and upon conviction he should be cashiered, whenever he gives an order to a private soldier to do any menial service for his (the officer's) own benefit or private advantage. That is one thing, and that is one of the provisions which I put into the amendment.

Mr. BEVERIDGE. Now, did—

Mr. McLAURIN of Mississippi. Wait a moment. If an officer gave any such order, I would allow charges to be made against him by the private soldier or by any private soldier, and then upon the trial of that officer I would have one-half of the members of the court-martial composed of private soldiers of the same class of service as the private soldier who was thus offended. That is one way I would do it.

Mr. BEVERIDGE. I did not hear the Senator's amendment, and I do not wonder, after his explanation, that the Senate instantly voted it down.

Mr. McLAURIN of Mississippi. Certainly.

Mr. BEVERIDGE. I would ask the Senator how he would expect discipline to be maintained under such a system, where in the course of war (I see the Senator's adviser going to his side; no doubt I shall have a quick answer) soldiers might be discontented, or because they were ordered to some service might want to do something against an officer? How could the Senator expect that discipline could at all be maintained? I know the Senator has been a soldier, and I ask him to answer that out of his own experience.

Mr. McLAURIN of Mississippi. Yes, sir; I have been a soldier and a private soldier, and I know something of the private soldier's position and what he has to undergo.

Mr. BEVERIDGE. And a good one, I know.

Mr. McLAURIN of Mississippi. Thank you, sir; I was not fishing for a compliment.

Mr. BEVERIDGE. I can not refrain from complimenting the Senator upon a matter like that. I have as great admiration—

Mr. McLAURIN of Mississippi. Mr. President—

Mr. BEVERIDGE. Pardon me for a moment. This is a personal matter. I have as great admiration for the courage and soldierly qualities of those who fought upon one side of that regrettable conflict as I have for those who fought on the other

side, who number members of my own blood, and I paid that compliment to the Senator in sincerest good faith.

Mr. McLAURIN of Mississippi. Mr. President, the Senator assumes that the private soldier is an unworthy man.

Mr. BEVERIDGE. No. No man does or can more earnestly admire and champion him.

Mr. McLAURIN of Mississippi. That he is unworthy.

Mr. BEVERIDGE. No; the Senator will pardon me. I assume nothing of the kind. On the contrary I assert the reverse.

Mr. McLAURIN of Mississippi. Very well.

Mr. BEVERIDGE. He is a very worthy man, but he is in the Army, and an army is an army, and discipline is discipline.

Mr. McLAURIN of Mississippi. Then it surely is within the power of the officers commanding the Army to select private soldiers who will do justice to the officer and to the private soldier.

Mr. BEVERIDGE. Will the Senator permit me? The Senator assumes that we select officers who will do injustice.

Mr. McLAURIN of Mississippi. Yes, sir.

Mr. BEVERIDGE. That is the point.

Mr. McLAURIN of Mississippi. That I assume, and I know it is true. I have seen officers require soldiers to do menial service for them. We have officers of that kind. I do not assert that, as a rule, we select officers who will do injustice, but yet we have such officers, and such officers ought to be weeded out of the service of the United States Army. That is my idea about it.

Mr. BEVERIDGE. Mr. President, the Senator does admit that the assumption which I say he makes—

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Indiana?

Mr. McLAURIN of Mississippi. If the Senator has any further questions, I will yield to him.

Mr. BEVERIDGE. Yes; it is a question. I shall not interrupt the Senator again if he so prefers. This is the course of ordinary running debate, and if the Senator does not wish to be interrupted except for a question, I will confine myself to questions.

Mr. McLAURIN of Mississippi. I prefer that the Senator should confine himself to questions, because he will have his own time. He has spoken on this same subject for hours.

Mr. BEVERIDGE. I will put it in the form of a question, because it is important that it should be nailed down one way or the other. I have no desire to misunderstand, much less to misinterpret the Senator. The Senator does not admit that what I said a moment ago, and what he then admitted, that his assumption is that we select officers who will do injustice, is correct, and that he makes such assumption.

Mr. McLAURIN of Mississippi. I say this. We have officers in our Army who do injustice to private soldiers. I know that as a fact. I do not assume anything. I know it to be a fact that we have such officers. I do not assert that as a rule they do injustice to the soldier, but I do assert we have officers in the Army who do injustice to the private soldier, who give them orders to perform for them menial service which they have no right to order them to do. Such officers ought to be weeded out.

I have said it is possible, and not only possible, but easy, for the authorities to find private soldiers to put on courts-martial, who will do justice to the officer and to the private soldier. And if we have soldiers who are gentlemen, if we have soldiers who are worthy of the American uniform—as I contend we have—if the vast mass of our soldiers are worthy of the American uniform, which I contend they are, then they would have no trouble to find private soldiers who can be put upon these courts-martial to try an officer who has mistreated a private soldier and for which mistreatment he is being tried.

Mr. BEVERIDGE. A question.

Mr. McLAURIN of Mississippi. Those private soldiers ought to be put upon the courts-martial.

Mr. BEVERIDGE. A question.

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Indiana?

Mr. McLAURIN of Mississippi. For a question?

Mr. BEVERIDGE. Yes, sir; for a question. Can not the Senator imagine, without great difficulty, the case of an unworthy soldier (because there are unworthy men in all vocations of life), a discontented soldier, one who has a grudge against an officer who would falsely make such a charge as that without foundation or basis, just simply because of his spite against the officer, and thus cause, by the Senator's plan, a civil procedure in a military organization—a long trial and investigation of it? Can not the Senator imagine such a case as that?

Mr. McLAURIN of Mississippi. I can imagine such a case. Cases of that kind occur.

Mr. BEVERIDGE. Yes. What would be the effect of that on discipline?

Mr. McLAURIN of Mississippi. If the Senator will allow me to get through, I do not contend that every man in the ranks as a

private soldier is worthy the uniform of the United States. It would be impossible to get that, but I contend that they will compare favorably with the officers who wear the uniform of officers of the American Army. I contend that the proportion of those who are gentlemen and who are worthy of the American uniform is as great among the private soldiers as among the officers.

Mr. BEVERIDGE rose.

Mr. McLAURIN of Mississippi. Let me get through before the Senator asks another question. As to the point the Senator made a while ago, the private soldier has now the right to prefer a charge against his officer, but when it comes to be tried, it is tried by officers alone, and a private soldier has none of his class of service on the court-martial. When the private soldier makes a charge against an officer of maltreatment of the private soldier, when the court-martial meets, not a civil tribunal—I would not ask for a civil tribunal, and in the amendment I offered a few days ago to the military bill I did not ask for a civil tribunal—I would provide that one-half of the court-martial should be composed of private soldiers, gentlemen, as the Senator admits they are, in the Army of the United States, and the officers who select the court-martial will have the opportunity to select from private soldiers, the mass of whom are gentlemen.

Now, when the trial is held, if it turns out that they are false charges against the officer, made by the private soldier for some pique or to gratify some spite or ill will or malice, the court-martial, composed one-half of officers and one-half of private soldiers, will do justice to the officer and acquit him of any offense. But if he has been guilty of any offense against the private soldier, if he has given him an order to do work for him—menial service for him—as he would a galley slave, they would convict him and cashier him under the amendment which I offered, and they ought to do it.

Mr. BEVERIDGE. Mr. President—

Mr. McLAURIN of Mississippi. If the Senator will hold on for a few moments—

Mr. BEVERIDGE. I want to ask a question right here.

Mr. McLAURIN of Mississippi. Very well.

Mr. BEVERIDGE. Well.

Mr. McLAURIN of Mississippi. Out with it.

Mr. BEVERIDGE. Is that upon the assumption that the trial board as now constituted would not do justice? The Senator suggests a change, that instead of the trial board being all officers it should be half privates. Why does the Senator make that suggested change, unless it is upon the ground that the trial board composed of all officers would not do justice? Is that the Senator's position?

Mr. McLAURIN of Mississippi. My position is that when you are trying a private soldier you ought to have some of his class of service on the court-martial.

Mr. BEVERIDGE. Because—

Mr. McLAURIN of Mississippi. When you are trying an officer for an offense against a private soldier, the private soldier ought to have at least half of the court-martial composed of his own peers. They are more likely to do justice to him than a board composed entirely of officers.

Mr. BEVERIDGE. Does the Senator say that the board composed entirely of officers would not do justice to a private soldier? And if so, is the Senator's assumption borne out by history?

Mr. McLAURIN of Mississippi. I have answered the Senator's question time and again, that the board composed one-half of officers and one-half of private soldiers would be more likely to do justice to the private soldier than a board composed entirely of officers. Then I will say another thing, that if you had a court-martial so composed and a law as my amendment proposed there would be a great deal more care exercised by the officers in the arbitrary and often despotic command to private soldiers than there is now. But I am admonished by the clock that the morning hour is expiring.

Here is a statement of the Secretary of War. The reason I want to stop the colloquy is that the time is expiring, and I want to get in a reference to this speech. The Secretary of War in a speech made a few days ago said, speaking of the Army:

It is an army of citizens of the United States.

Mr. BEVERIDGE. From what does the Senator read?

Mr. McLAURIN of Mississippi. From a speech made by the Secretary of War. I believe it was yesterday that he made a speech in which he said:

It is an army of citizens of the United States, volunteers all of them. It is a volunteer army. It is an army of citizens, each of whom is educated, for there is an educational test upon admission.

Now, the Senator says that my amendment was promptly and properly voted down because the amendment was such a one as ought not to be adopted and ought not to be in the military regulations of the United States. That was an amendment which gave a private soldier the poor privilege of setting on a court-martial when another private soldier was being tried, the poor

privilege of having his case tried, when he has been oppressed by an officer, by a court-martial composed one-half of private soldiers. Here are these men, educated men; men who were subjected to an educational test before they were permitted to enter the Army.

Yet it is said there can not be selected from that class of men one-half of a court-martial who would do justice and who could be relied upon to enforce discipline in the Army, and that if we should do that the Army would go to pieces in time of peace or war. I insist that the Secretary of War says one thing and acts another; that he speaks one thing by his tongue and acts another by his military orders and by his military conduct.

It is all very well to parade before the public that the Secretary of War has the idea that the private soldier is an educated man, a capable man, and a gentleman. That is all very well to go out as the opinion of the Secretary of War to the world. But when it comes to act he acts upon a different assumption.

Right here, while I think about it, I wish to say that the Senator from Indiana yesterday spoke of the American uniform and said that it ought not to be assailed; that the American uniform ought to be understood to clothe a man as an honorable man. I agree to that. I want to do it. But when you conceal the misconduct of the few American officers who are guilty of crime, is that the way it is going to be done? Is it going to be made the emblem of honor by keeping them within the Army and by making no distinction between officers who are corrupt, officers who are murderous, officers who are cruel torturers, and the officers who are honorable and perform their duty and the private soldiers who perform their duty? Is there going to be no distinction made? Is that the way you are going to make the American Army an emblem of honor?

No, the way to do it is to weed out all those not worthy of the uniform, so that when a person sees a man with the American uniform on walking down the street he knows that he is a gentleman, because it is the rule of the American Government not to permit any man to wear that uniform who is not a worthy and an honest man. You can not do that by concealing the trials and court-martials of men who have tortured American private soldiers.

Last year, when Secretary Root was driven to send in a defense of the charges which had been made by American soldiers against American officers, he sent in this document, and I want to call your attention to it. He sent in this document as a part of his case.

When a man in a lawsuit enters before a jury a document he vouches for its correctness; he indorses that document. Here is the document. Here is the document that the Secretary of War indorsed. Here is a part of the statement of Gen. Frederick Funston, a brigadier-general, and I believe no man was more eulogized at the last session, when we had this Philippine question before the Senate. Here is what he said:

Statements of this kind made by returned soldiers are simply braggadocio and a desire to attract attention to themselves.

There is no truth in it; it is just said as braggadocio, unreliable, unworthy of credence; it is braggadocio; it is done to attract attention to themselves and it is void of truth. Now, that is slandering the American Army.

Mr. BEVERIDGE rose.

Mr. McLAURIN of Mississippi. Does the Senator wish to interrupt me?

Mr. BEVERIDGE. I do.

Mr. McLAURIN of Mississippi. Very well; I yield.

Mr. BEVERIDGE. I ask the Senator, from his own large and rich experience as a soldier, and a gallant one, whether he does not know that that is occasionally true?

Mr. McLAURIN of Mississippi. It is not the statement of this brigadier-general that it is occasionally true.

Mr. BEVERIDGE. Does he say that it is universally true?

Mr. McLAURIN of Mississippi. I will read it again to the Senator. If it does not say that in so many words, it can bear no other construction. I know it is a fact, as I have said before, that all private soldiers are not honorable and worthy men, but as a rule they are worthy men. Now listen:

Statements of this kind made by returned soldiers are simply braggadocio and a desire to attract attention to themselves.

Where is the exception? It is not given here. It brands all the statements as being devoid of truth, because when it says that they are simply braggadocio it means that they have not anything else in them and that there is no truth in them. It is unworthy of a brigadier-general to speak—

Mr. BEVERIDGE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Mississippi yield?

Mr. BEVERIDGE. I wish to ask just one question and then I will not interrupt the Senator any more. Who was it said that?

Mr. McLAURIN of Mississippi. Gen. Frederick Funston.

Mr. BEVERIDGE. Does the Senator think that General Funston meant those words to apply indiscriminately to all soldiers in the Army, as the Senator has just stated?

Mr. McLAURIN of Mississippi. If he did not mean it he ought not to have said it.

Mr. BEVERIDGE. Does the Senator think so?

Mr. McLAURIN of Mississippi. I only know what he meant from what he said.

Mr. BEVERIDGE. Does the Senator think that is what he meant should be understood?

Mr. McLAURIN of Mississippi. I can not think anything else. I do not know of anything else that he could mean by it. I can only judge of what he means by his language here. I am not acquainted with General Funston, except through his writings and through his speeches. He says that is true; and from all I have heard of him and read of him I believe he is capable of making almost any statement. I believe he wanted to have a venerable Senator in this body hung because he objected to the imperial policy in the Philippine Islands. I think he wanted to have hung an ex-Speaker of the House of Representatives—Hon. Tom Reed, who was known all over this country and who died some time ago—because he held the same views the senior Senator from Massachusetts [Mr. Hoar] holds. Having that kind of an idea about it, I can interpret his language in no other way than that it means just exactly what he says. If he wants to plead the baby act, or if the Senator wants to plead the baby act for him, then of course that may be done.

Mr. BEVERIDGE. I should like to have the Senator say whether he himself thinks that General Funston meant that that statement should be applied indiscriminately to every soldier in the Army.

Mr. McLAURIN of Mississippi. If the Senator will allow me, I will tell him just what I think General Funston meant. I think he meant just what he said—

Mr. BEVERIDGE. So do I.

Mr. McLAURIN of Mississippi. And that is what he said. I hope the Senator will let me proceed. Let us go on a little further. There have been some murders in the Army.

Let me say another thing. There was not on the other side any Republican Senator last year who defended the private soldier if he was on the side of the Philippine bill or the side of the tariff bill for the Philippine Islands. There was not a word said by them in vindication or in justification or in defense of the private soldier, and when they spoke of the Army it was spoken of as the officers of the Army; and as one Senator said, the American officer will not lie, implying, I supposed then, and I suppose now, that the American private soldier would lie. I believe his language was that the American officer would not lie and steal; and that the expression of one is the exclusion of others is a law maxim which a tyro in the profession of law first learns.

But here is another major-general in the United States Army, Major-General Otis, writing on the 29th of May, 1899. This is from a document sent in by the Secretary of War, and thereby indorsed by him. Major-General Otis says:

While there is little truth in letters written by soldiers to their homes—

Ah! if there is little truth; then all the balance must be falsehood. If all the balance is falsehood, then the soldier is a man accustomed to lying, and he who is accustomed to lying is a liar. There is the denunciation as plain as the inference can be made that all the soldiers who write home letters to their people, whether to father, brothers, sisters, wife, daughter, or son, are liars. Who is slandering the American Army? Have Republican Senators said a word against General Otis because of this slander in making their claimed defense of the American Army?

It is very easy to get up and say there is a syndicate of slander, a syndicate of defamation here; but when you come down to the actual facts of the case who of them has ever said a word in denunciation of General Otis for this vile slander when defending the American Army against the alleged slander of Democrats in the Senate? Not one. Oh, no; when you are slandering the American Army you are slandering the American officers. How? By showing that certain American officers have been guilty of outrages and want to call the attention of the War Department and of the Administration to them, so that they may weed them out of the Army and have the Army composed of officers and men who are worthy of the uniform they wear, that when they are seen with that uniform they may be known to be honorable and upright gentlemen.

I see that the morning hour is nearly over. The Senator had a great deal to say yesterday about a statement which was made by the Senator from Utah [Mr. Rawlins] as to an officer who had committed a cold-blooded murder, and he called for one specification. I am going to give the Senator from Indiana a specification. It is on page 2097 of the hearings before the Committee on the Philippines of the United States Senate on affairs on the Philippine Islands.

Here is a charge made against an American officer, Lieut. Preston Brown, first lieutenant. The charge was murder in violation of the fifty-eighth article of war. What is the specification?

Specification.—In that First Lieut. Preston Brown, Second Infantry, did willfully, feloniously, and with malice aforethought, murder and kill by shooting with a pistol an unarmed, unresisting native Filipino, name unknown, a prisoner of war in his charge, and as a result of said shooting the native died then and there die.

Now—

This at a time of insurrection in the Philippine Islands, under the military government of the United States, at or near Binangonan, Infanta Province, Luzon, P. I., on or about December 22, 1900.

That is the specification. What did they find him guilty of? They did not find him guilty of murder, but they found him guilty of manslaughter and sentenced him to five years at hard labor.

Mr. BEVERIDGE. Who found him guilty?

Mr. McLAURIN of Mississippi. The court-martial.

Mr. BEVERIDGE. Composed of brother officers?

Mr. McLAURIN of Mississippi. Yes, sir.

Mr. BEVERIDGE. How astonishing!

Mr. McLAURIN of Mississippi. Wait a moment. Here is what they found him guilty of. They found him guilty of manslaughter. I would like to ask a question of the Senator as a lawyer, as ridiculous as this seems to him, because I see his risibles indicate that he considers it very ridiculous. As ridiculous as it seems, I want to know of the Senator as a lawyer if he does not believe that the finding of the court-martial is a finding in fact of murder and that the only palliating circumstance was that it was an officer? Now, what do they find him guilty of?

Of the specification, "Guilty, except the words 'feloniously and with malice aforethought murder and,' and of the excepted words not guilty."

What, then, did they find him guilty of?

"Did willfully * * * kill by shooting with a pistol an unarmed, unresisting native Filipino, name unknown, a prisoner of war in his charge."

He was found guilty of willfully killing an unarmed man, an unresisting man, who was a prisoner in his charge; and that court-martial found that he was not guilty of murder, but guilty of manslaughter. Does not the Senator know, does not any lawyer know, that he was guilty of murder?

Now, what did they do with that officer? He was not sent to the penitentiary.

WHITE HOUSE, January 27, 1902.

So much of the sentence in this case as imposes imprisonment is disapproved, and so much of the sentence as imposes dismissal is confirmed and commuted to a reduction of 30 files in lineal rank on the list of first lieutenants of infantry and a forfeiture of one-half of the officer's monthly pay for a period of nine months.

THEODORE ROOSEVELT.

By direction of the Secretary of War, First Lieut. Preston Brown, Second United States Infantry, will be released from arrest and restored to duty.

That is, the officer was released from arrest and restored to duty, with no punishment at all except that one-half of his pay was deducted for nine months. His pay for nine months was deducted, and he is now, so far as the records show, holding a commission in the United States Army.

But the next man was a private soldier, who had killed, not a prisoner, but a woman, and I suppose it would be about on a par whether he killed a woman or killed a prisoner who was of an inferior race and who was in his charge. That private soldier was not reduced 35 numbers in rank, but he was executed for the offense.

Now, what is the difference? Will the Senator look at that? These are the two very first cases that come in this list. The Senator laughs.

Mr. BEVERIDGE. I am not laughing. I am simply looking pleasantly at the Senator.

Mr. McLAURIN of Mississippi. It is no laughing matter. I know the Senator was laughing a while ago when I spoke of the fact that this man had been convicted by a court-martial of the crime of manslaughter. It may be a laughable matter to him, but it is not a laughable fact to me that a man who holds a commission and commits a crime just as diabolical—the officer in the American Army, wearing the uniform of the American soldier, with the American sword belted around him—is acquitted, and when the private soldier commits a crime exactly like it he must go to the gallows.

Mr. BEVERIDGE. The Senator has referred to what he called my evidences of risibility at that point. It was this; and it comes as humor always comes, by a fault in logic. The Senator had been condemning Army officers as judges in courts-martial, and then he cited an instance where those very officers condemned one of their own brother officers very seriously; and when I called his attention to the fact that this board was made up of officers, I think it excited the risibilities of more than myself. So far as the Senator—

Mr. McLAURIN of Mississippi. My time is about out. The officers acquitted the officer of murder, but they found to be true

specifications that constitute murder. The specifications, as found by the court-martial, showed him to be guilty of murder, and he was acquitted; whereas they convicted a private soldier of murder and he was hanged for an exactly similar offense. That is the difference. Now, let the Senator make the most of that.

Mr. BEVERIDGE. Mr. President, I will just say—

The PRESIDENT pro tempore. The Senator will suspend while the Chair lays before the Senate the unfinished business. It will be stated.

The SECRETARY. A bill (H. R. 12543) to enable the people of Oklahoma, Arizona, and New Mexico to form constitutions and State governments and be admitted into the Union on an equal footing with the original States.

Mr. BEVERIDGE. Let the pending resolution go over until to-morrow.

The PRESIDENT pro tempore. The Senator from Indiana asks unanimous consent that the resolution may lie on the table, retaining its place.

Mr. BEVERIDGE. I do.

The PRESIDENT pro tempore. Is there objection? The Chair hears none.

ISLE OF PINES.

The PRESIDENT pro tempore. The Chair calls the attention of the Senate to the fact that there are two other resolutions coming over from a previous day, and if no order is made they will go to the Calendar.

Mr. ALLISON. I ask unanimous consent that they may also go over.

The PRESIDENT pro tempore. The Senator from Iowa asks unanimous consent that the following resolution—

Mr. PLATT of Connecticut. One of them is some inquiry about Cuba, is it not?

The PRESIDENT pro tempore. It is.

Mr. PLATT of Connecticut. I think the Senator from Tennessee is willing that the resolution be referred to the Committee on Relations with Cuba.

Mr. CARMACK. I had thought of asking for the consideration of the resolution, but the Senator from Connecticut, the chairman of the committee, thinks it better that it should be referred, and has told me that the committee would give it attention.

Mr. PLATT of Connecticut. We will take it up promptly.

Mr. CARMACK. I think that is a better course, and I am willing that the resolution shall go to that committee.

The PRESIDENT pro tempore. The resolution offered by the Senator from Tennessee relating to the Isle of Pines will go to the Committee on Relations with Cuba.

SAFETY APPLIANCES ON RAILROADS.

The PRESIDENT pro tempore. The other resolution was also offered by the Senator from Tennessee [Mr. CARMACK], directing the Interstate Commerce Commission "to send to the Senate copies of all petitions and arguments made to it for and against extension of time in which common carriers by railroad should comply with the act approved March 2, 1893, to promote the safety of employees and travelers upon railroads," etc.

Mr. CARMACK. I wanted to have the consideration of that resolution by the Senate, but as I have neglected to put in writing the amendment suggested by the Senator from Massachusetts [Mr. HOAR], I should like to have the resolution go over until to-morrow, when I will bring in an amendment.

The PRESIDENT pro tempore. The Senator from Tennessee asks unanimous consent that the resolution may lie on the table, retaining its place.

Mr. CARMACK. I believe I will simply ask the reference of the resolution to the Committee on Interstate Commerce, which meets to-morrow, and we can then consider it.

The PRESIDENT pro tempore. The Chair hears no objection, and the resolution will be referred to the Committee on Interstate Commerce.

ARMY APPROPRIATION BILL.

Mr. PROCTOR. I am directed by the Committee on Military Affairs, to whom was referred the bill (H. R. 16567) making appropriation for the support of the Army for the fiscal year ending June 30, 1904, to report it with amendments. I will submit a written report later. I give notice that I will ask its consideration at the earliest possible moment.

The PRESIDENT pro tempore. The bill will be placed on the Calendar.

STATEHOOD BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12543) to enable the people of Oklahoma, Arizona, and New Mexico to form constitutions and State governments and be admitted into the Union on an equal footing with the original States.

Mr. QUAY. Mr. President, I ask the unanimous consent of the Senate that a vote on this bill and the pending amendments be taken on the 16th of February, at 2 o'clock p. m.

Mr. BEVERIDGE. Mr. President, I regret that I can not accede—

The PRESIDENT pro tempore. The Senator will allow the Chair to state the request. The Senator from Pennsylvania asks unanimous consent that the vote on the pending bill and any amendments that may then be offered or be then pending be voted on on the afternoon of February 16.

Mr. QUAY. At 2 o'clock.

The PRESIDENT pro tempore. At 2 o'clock. Is there objection?

Mr. BEVERIDGE. Mr. President, I regret that I can not consent.

The PRESIDENT pro tempore. Objection is made. The bill is before the Senate. The Senator from Massachusetts [Mr. LODGE] is recognized.

Mr. TILLMAN. Will the Senator allow me to call up a little bill? It is unobjectioned to, and I should like to have it passed.

Mr. LODGE. I yield to the Senator from South Carolina.

The PRESIDENT pro tempore. The Senator from Massachusetts yields to the Senator from South Carolina.

WILLIAM E. ANDERSON.

Mr. TILLMAN. I ask unanimous consent to call up the bill (H. R. 11858) for the relief of William E. Anderson.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It directs the Secretary of War to so amend the military record of William E. Anderson, Company H, Third United States Artillery, as to show him honorably discharged to date June 18, 1847. But no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RELATIONSHIP BETWEEN MONEYS.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read:

To the Senate and House of Representatives:

I transmit herewith a report from the Secretary of State, with accompanying notes from the Mexican ambassador and the Chinese chargé d'affaires ad interim, which seek the cooperation of the Government of the United States in such measures as will tend to restore and maintain a fixed relationship between the moneys of the gold-standard countries and the silver-using countries.

I recommend that the Executive be given sufficient powers to lend the support of the United States in such manner and to such degree as he may deem expedient to the purposes of the two Governments.

THEODORE ROOSEVELT.

WHITE HOUSE, January 29, 1903.

Mr. ALDRICH. The communications from the representatives of the Chinese Government and the Mexican Government are not long, and I ask that they may be read.

The PRESIDENT pro tempore. The Senator from Rhode Island asks for the reading of the papers. Is there objection? The Chair hears none.

Mr. FORAKER. That is, the unfinished business is only temporarily laid aside.

Mr. ALDRICH. It will not take long.

The Secretary proceeded to read the papers.

Mr. FORAKER. I take it that these are papers which will be referred to the Committee on Finance. Would it not be satisfactory to the Senator from Rhode Island to have them printed in the RECORD and referred without reading?

Mr. ALDRICH. I have no objection to that course. I suggest that they be printed in the RECORD, and be printed separately, and referred to the Committee on Finance.

The PRESIDENT pro tempore. The Senator from Rhode Island asks unanimous consent that the papers be printed in the RECORD. Is there objection? The Chair hears none. The message and the accompanying papers will be referred to the Committee on Finance and printed.

The papers referred to are as follows:

The PRESIDENT:

I have the honor to submit herewith a translation of a note from the ambassador of the Republic of Mexico and a copy of a note from the chargé d'affaires of the Imperial Chinese Government. Both notes ask the cooperation of the Government of the United States in such measures as will tend to restore and maintain a fixed relationship between the moneys of the gold-standard countries and the silver-using countries. It is not asked that the United States modify its monetary system, and it is distinctly disavowed that any movement is contemplated for the restoration of international bimetalism. The opinion is expressed, however, by the representatives of both Governments that consultation between the United States and European powers having dependencies in the Orient and the independent countries where silver money is in general use may result in the adoption of a monetary system which will prevent the great fluctuations in exchange which now occur in trade with the silver-using countries. If such a result can be achieved—and it is pointed out that at least a partial solution has been

proposed in the United States in a bill now pending in the Senate in regard to the Philippine Islands—great benefits will follow to the trade of the world by making easier the access of the products of the manufacturing nations to the markets of China and the other silver-using countries.

The consideration of this subject may have an important bearing also on the payment of the indemnity due by China to certain European powers and to the United States, by enabling the Chinese Empire to put her monetary system upon a basis which will make it possible for her to meet these payments in a manner satisfactory to all the powers. This result, if it could be accomplished, would be of the first importance, not only to the United States and to the other powers having a share in the indemnity payments, but to China herself and her future development.

I respectfully submit for your consideration that these communications be transmitted to Congress with the recommendation that the Executive be given sufficient powers to lend the support of the United States, in such manner and to such degree as you may deem expedient, to the purposes of the two Governments whose notes are herewith submitted.

Respectfully submitted,

JOHN HAY.

DEPARTMENT OF STATE,

Washington, January 28, 1903.

List of papers: From Mexican ambassador, January 15, 1903, with inclosed memorandum; from Chinese chargé, January 19, 1903; from Chinese chargé, January 22, 1903, with inclosed memorandum.

Mr. Spiroz to Mr. Hay.

[Translation.]

No. 323.]

EMBASSY OF MEXICO, WASHINGTON, D. C.,

Washington, January 15, 1903.

EXCELLENCY: Referring to the interview which I had with you on the 20th day of December last, and to the suggestion of the secretary of foreign relations of my Government contained in the telegram of which I then had the honor to deliver to you a copy, to the effect that my Government would present to that of your excellency a plan for the utilization of the monetary systems of the nations which at the present time employ silver as current money, I have received from the secretary of foreign relations the necessary instructions to set forth the ideas of my Government in regard to the adoption of a plan by the United States and others of the governments which are most interested in this question. These ideas will be found expressed in the memorandum which accompanies this note.

The Government of Mexico would be gratified to obtain the cooperation of the United States in this matter in the manner which it may deem most appropriate and hopes with the deepest concern that its suggestions may merit especial consideration on the part of your excellency's Government.

I take pleasure, etc.,

M. DE SPIROZ.

[Inclosure.]

MEMORANDUM.

The serious dangers which are threatened by the recent fluctuations in the value of silver bullion to the commerce both of gold and silver standard countries have determined the Government of the Republic of Mexico to ask the cooperation of the United States in seeking a remedy for these conditions. Safe and profitable trade between any two countries is dependent to a considerable degree upon relative stability in the value of their currencies. This stability is destroyed in the trade between a gold-standard country, like the United States, and a silver country, like Mexico, when the variations in the gold value of silver, as was the case during the year 1902, reach nearly 10 cents an ounce in gold in a single year, or nearly twenty per cent upon the price of silver bullion.

The problem of securing relative stability of exchange between the gold and silver countries is one whose importance is not limited to silver countries, but comes home with force to all those gold-standard countries which are seeking markets for their products in silver countries and are seeking the extension of their trade in the Orient. The importance of this trade is indicated in some measure by the following tables of the imports into certain silver-using countries for the latest year for which data is obtainable, based in some cases upon official figures and in others upon those presented in the Statesman's Yearbook for the year 1902, reduced to round figures in American gold coins:

Imports of certain silver-using countries.

China	\$196,034,342	Korea	\$5,500,000
Mexico	65,083,451	Bolivia	3,300,000
Philippine Islands	32,141,842	Colombia	11,089,028
The Straits Settlements	150,000,000	Guatemala	1,521,900
Federated Malay States	18,000,000	Honduras	1,074,050
Indo-China	35,750,000	Nicaragua	3,500,000
Cochin China	24,000,000	Paraguay	1,888,710
Tonking	12,300,000		
Siam	12,600,000	Total	574,027,323

This large volume of imports into the silver countries, exceeding the entire annual import trade of the United States as recently as 1879, comes almost exclusively from the gold-standard countries which are engaged in the manufacture of finished goods for the world's markets and are profoundly interested in the extension of those markets. The table given does not include British India and several silver countries in South America who might become parties to an arrangement for giving stability to the relative value of the money of gold and silver countries.

The volume of exports from the gold-standard to the silver-standard countries is threatened not only by the uncertainly introduced into all transactions, but by the barrier of constantly rising silver prices for foreign goods in the silver countries. Thus, the Republic of Mexico, with the strongest desire to promote a large reciprocal trade with the United States, has not been able to prevent the automatic influence of the rise in silver prices of American goods from acting as a sort of progressive protection against their introduction into Mexico. Recent action by the Government of Mexico, compelled by the necessity of preserving a sufficient revenue for meeting its gold obligations abroad, has placed the import tariff itself upon a sliding scale, which will increase the burden of the silver charges upon merchandise imported from gold countries.

In another respect than the exports to silver countries the trade of the gold countries is threatened by the fluctuations in the value of silver. Silver is a by-product in the production of gold, copper, and lead, articles which constitute a large proportion of the annual mineral production of Mexico and the United States and form in both countries important articles of export. From the United States, according to official returns, the exports of copper ingots, bars, etc., for the fiscal year 1902 reached 288,720,655 pounds, of a reported value of \$39,190,619, and the net exports of silver were about \$21,500,000. These two items, exceeding \$60,000,000, constitute nearly 5 per cent of the total exports of the United States. It is obvious that if silver, as one of the two products of a given operation, falls greatly in value, it must

depress the net price received for both products and thereby diminish the profits and the output of the gold, copper, and lead industries of the United States and the value of such products when exported. From Mexico nearly half of the annual exports are of silver, which makes it still more important to her, from a commercial as well as a monetary point of view, that steps should be taken to check the recent fluctuations in the relative value of the money metals.

The large investments of the money of citizens of the United States in railways, mines, coffee plantations, smelting works, and many other enterprises in Mexico, exceeding in amount \$500,000,000 gold, according to the last statement of your consul-general, Mr. Andrew Barlow, make the stability of relationship between the moneys of the two countries of direct importance to the United States. The earnings of these enterprises, remitted to American investors, have suffered a serious fall in gold value with every fall in the value of Mexican money, and the principal of the investment has suffered in the same manner when considered from the standpoint of converting it back into gold. It would act at once as a safeguard to existing investments and a stimulus toward their increase, with obvious benefits to both countries, if the money of Mexico could be brought into a stable relation to the money of the United States.

It is not advisable, in the opinion of this Government, that the Republic of Mexico should, under the present circumstances, adopt a pure gold currency, and it desires that some other system might be devised, with the concurrence of other powers, which will give stability of relationship to the money of the gold and silver using countries. The adoption by Mexico of a gold currency would cause the continued depreciation of an article which constitutes nearly one-half of her exports and would impose a seriously increased demand upon the gold stock of the world. The scale of wages and prices and the habits of the Mexican people are not well adapted to the introduction of gold coin as the principal medium of circulation. The same may be said of the conditions and the people of the Philippine Islands, which are under the authority of the United States; of the Straits Settlements and the Federated Malay States, which are under the authority of Great Britain; of Indo-China, Cochinchina, and Tonkin, which are under the authority or protection of France; of Formosa, which is under the authority of Japan, and of Siam, Korea, and China. Even if it were practicable for Mexico to adopt a gold currency for herself her action would represent but an incomplete and unsatisfactory solution of the problem of the exchanges, because it would not contribute in any appreciable degree toward the solution of the same problem in the countries of the Orient.

It will be noted that the largest volume of imports in the table given above is credited to the Chinese Empire. This large volume of trade, in order to obtain which great military and economic sacrifices have been made by the United States and European powers, is threatened in the present state of the Chinese fiscal and currency systems with partial paralysis, if not with extinction. The heavy indemnity imposed by certain of the powers upon the Chinese Government has led to large offerings of silver on the Chinese market, and has diminished the power of that country to purchase foreign goods to a point which threatens to materially reduce the existing export trade to China from the United States, Great Britain, France, Germany, and other countries.

It is with a view to finding a remedy for these conditions, which will preserve the export and carrying trade of the leading manufacturing nations to the silver countries, that the cooperation of the United States is asked in representations to other leading powers in favor of international concert of action on this subject. The Government of Mexico does not seek the restoration of the free coinage of silver by either the gold or silver using nations, and does not ask the United States to modify her present monetary standard. It is recognized by this Government that bimetalism, in the sense of the free coinage of both metals, is a policy which has been definitely discarded by leading powers of Europe and by the United States and that it would be futile to ask its restoration.

It is, therefore, not the expectation nor the wish of this Government that the gold-standard countries should take any action tending to impair their monetary standard or to make material changes in their monetary systems. It is desired that the Governments of gold countries having dependencies where silver is used and the Governments of silver countries shall cooperate in formulating some plan for establishing a definite relationship between their gold and silver moneys and shall take proper measures to maintain such relationship. One such plan has already been proposed in both Houses of the Congress of the United States with reference to the Philippine Islands. It is this and other plans designed to accomplish the same end which the Government of Mexico would be glad to have considered by the United States and other Governments with the view to the adoption of the best attainable monetary arrangement by those countries which are not prepared under existing conditions to adopt a currency system involving the general use of gold coins.

The cooperation of the United States with the Republic of Mexico in presenting this subject to other governments would, in the opinion of the latter, aid greatly in securing a prompt and satisfactory solution of an economic problem which threatens the ruin of the silver-using countries on the one hand, in the vain effort to meet increasing gold obligations abroad, and which threatens also the commercial prosperity of the gold-using countries by destroying the purchasing power of their customers. It seems that it would contribute materially to the permanent and satisfactory settlement of this problem if Great Britain and France, with their important colonial possessions in Asia, and if Germany, Russia, and other countries having large commercial and territorial interests there, would unite with the United States and Mexico in the adoption of a common standard for a new coinage system in the silver countries; in recommendations for the readjustment of the fiscal and monetary relations of China with the other powers which would permit that country to continue to be a user of silver and a purchaser of the products of the manufacturing nations; and in such provision for their own subsidiary currencies as would tend to promote stability of relationship between their gold and silver money.

Mr. Shen to Mr. Hay.

No. 276.]

CHINESE LEGATION,
Washington, January 19, 1903.

SIR: I have the honor to state that on the 26th December last I received a telegram from the Imperial Government giving me instructions relative to a proposed international discussion of the silver question.

The steady depreciation and constant fluctuation in the value of silver in recent years in particular not only prove detrimental to the interests of China, which is one of the silver-standard nations, but it is believed, seriously affect in no small degree the export trade of the United States and European nations with silver-using countries. With a view to further the interests of all concerned, it is now proposed that the Chinese Government, acting in concert with the Government of the Mexican Republic, request the cooperation of the Government of the United States in representations to other leading powers in favor of international concert of action relative to the silver question.

It will be my pleasurable duty in the immediate future to submit to you

for the consideration of your Government a memorandum embodying the views of my Government bearing upon this subject in greater detail.

Accept, sir, etc.,

SHEN TUNG.

First Secretary and Chargé d'Affaires ad interim.

Mr. Shen to Mr. Hay.

No. 277.]

CHINESE LEGATION,
Washington, January 22, 1903.

SIR: Referring to my note (No. 276) of the 19th instant, in which I informed you that I had received instructions from the Imperial Government relative to a proposed plan looking toward an international concert of action bearing upon the monetary question, I have the honor to submit to you the accompanying memorandum containing the views of my Government relating to the above-mentioned subject.

It is the confident hope of the Imperial Government that the subject-matter of its memorandum may receive the careful consideration of the Government of the United States and that such steps may be taken as it may deem proper toward bringing about the desired end, to the mutual benefit of all concerned.

Accept, sir, etc.,

SHEN TUNG.

[Inclosure.]

MEMORANDUM.

The serious results which are threatened by the recent fluctuations in the value of silver bullion to the commerce both of gold and silver standard countries have induced the Chinese Imperial Government, acting in concert with the Mexican Government, to ask the cooperation of the United States in seeking a remedy for these conditions for the mutual benefit of all concerned. Safe and profitable trade between any two countries is dependent to a considerable degree upon relative stability in the value of their currencies. This stability is destroyed in the trade between a gold-standard country like the United States and a silver country like China when the variations in the gold value of silver, as was the case during the year 1902, reached nearly 10 cents an ounce in gold in a single year, or nearly 20 per cent upon the price of silver bullion.

The problem of securing relative stability of exchange between the gold and silver countries is one whose importance is not limited to silver countries, but comes home with force to all those gold-standard countries which are seeking markets for their products in silver countries and are seeking the extension of their trade in the Orient. The importance of this trade is indicated in some measure by the following table of the imports into certain silver-using countries for the latest year for which data are obtainable, based in some cases upon official figures and in others upon those presented in the Statesman's Year Book for the year 1902, reduced to round figures in American gold coin:

Imports of certain silver-using countries.

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Siam	12,600,000	Total	574,627,323

This large volume of imports into the silver countries, exceeding the entire annual import trade of the United States as recently as 1879, comes almost exclusively from the gold-standard countries which are engaged in the manufacture of finished goods for the world's markets, and are profoundly interested in the extension of those markets. The table given does not include British India and several silver countries in South America which might become parties to an engagement for giving stability to the relative value of the money of gold and silver countries.

It will be noted that the largest amount of imports in the table given above is credited to the Chinese Empire. This large volume of trade is threatened in the present state of the Chinese fiscal and currency systems with a decline, the limit of which no one could foresee. The heavy indemnity imposed by certain of the powers upon the Chinese Government has led to large offerings of silver on the Chinese market, and has diminished the power of that country to purchase foreign goods to a point which threatens to materially reduce the existing export trade to China from the United States, Great Britain, France, Germany, and other countries.

The foreign trade of China, while standing at the head of the above table in the order of magnitude, is small at present in proportion to the population and resources of the Chinese Empire. The exports from the United States to China have multiplied manifold within twelve years and now exceed \$24,000,000. The present volume of imports of merchandise into China, however, amounts to only about 50 cents per capita in gold, and affords but a slight measure of what the trade of China might become if expanded in the future as rapidly as even that of Japan, which has advanced in ten years from about \$1.25 to nearly \$3 per capita. An import trade of \$3 per capita for the Empire of China with its nearly 400,000,000 people, would represent the enormous sum of \$1,200,000,000, or one-third more than the largest amount ever attained by the import trade of the United States. The encouragement of a commerce so important as this seems to the Chinese Imperial Government to be worthy of the most serious consideration of the Western powers. It would afford an outlet for the produce of the labor of many thousands of workers of Europe and America, and employment for many millions of the capital of those nations, and would dot the Pacific and Indian oceans with the flags of a carrying trade as large as that now required in the entire commerce between Europe and the United States.

While a readjustment of the currency of China upon a stable relationship with that of the gold-standard countries would not in itself, perhaps, accomplish so tremendous a revolution as would be involved in the creation of a trade of more than a thousand millions, yet it would be one of several steps in that direction which would contribute greatly to accelerate an event of such paramount importance to the capitalists and the producing masses of the Old and New Worlds. The necessity is becoming more and more keenly felt by American and European manufacturers for the opening of new and the extension of already existing markets in every direction for the absorption of their goods in order that means may be found for relieving overproduction and affording profitable returns to the investment of capital. China, with her immense population and consequently large potential capacity for absorbing foreign products, offers a most important field for American and European manufactures, the ready absorption of which would tend to relieve overproduction and contribute materially to the prosperity of the manufacturing nations.

If results such as these are within the range of the influence of a reorganization of the monetary system of China in harmony with the system of other

powers where silver is the principal money in use, it is evident that the Chinese Imperial Government acts from no narrow and selfish motive in asking the United States and the Republic of Mexico to join her in seeking an international arrangement for securing greater fixity of relationship between the moneys of the gold and silver countries.

Questions of finance and economics should be considered in all their bearings, with due attention to their far-reaching effects and not merely upon results which bring immediate benefit. Important as are the indemnity payments to the several powers, and ready as China is to meet them to the best of her ability, they represent but a trifling proportion of the benefits which may be derived by the Western powers from a policy which would give to China a permanent, uniform monetary system and make her a wide market for the products of American and European factories and workshops.

It is with a view to finding a remedy for the monetary causes which threaten to retard this development, and to preserve the export and carrying trade of the leading manufacturing nations to the silver countries, so that trade may not lose its healthy activity and confidence may be restored to investors and manufacturers, that the cooperation of the United States is asked in action on this subject. The Government of China does not seek the restoration of the free coinage of silver by either the gold or silver using nations. It is recognized by this Government that bimetallism, in the sense of the free coinage of both metals, is a policy which has been definitely discarded by leading powers of Europe and by the United States, and that it would be futile to propose its restoration.

It is, therefore, not the expectation nor the wish of this Government that the gold-standard countries should take any action tending to impair their monetary standard or make material changes in their monetary systems. It is desired that the governments of gold countries having dependencies where silver is used and the governments of silver countries shall cooperate in formulating some plan for establishing a definite relationship between their gold and silver moneys and shall take proper measures to maintain such relationship. One such plan, it is reported, has already been proposed in both Houses of the Congress of the United States with reference to the Philippine Islands. It is this and other plans designed to accomplish the same end which the Government of China would be glad to have considered by the United States and other governments with the view to the adoption of the best attainable monetary arrangement by those countries which are not prepared under existing conditions to adopt a currency system involving the general use of gold coins.

The cooperation of the United States with the Chinese Imperial Government and with the Republic of Mexico in presenting this subject to other governments would, in the opinion of this Government, aid greatly in securing a prompt and satisfactory solution of an economic problem which threatens the ruin of the silver-using countries on the one hand in the vain effort to meet increasing gold obligations abroad, and which threatens also the commercial prosperity of the gold-using countries by destroying the purchasing power of their customers. It would, we believe, contribute materially to the permanent satisfactory settlement of this problem if Great Britain and France, with their important colonial possessions in Asia, and if Germany and Russia and other countries having large commercial and territorial interests there would unite with the United States and China in the adoption of a common standard for a new coinage system in the silver countries, in recommendations for the readjustment of the fiscal and monetary relations of China with the other powers which would permit that country to continue to be a user of silver and a purchaser of the products of the manufacturing nations, and in such provision for their own subsidiary currencies as would tend to promote stability of relationship between their gold and silver money. The Chinese Imperial Government will welcome the cooperation of the United States in this matter in any form which may be acceptable to that power, and earnestly prays that the subject may receive the prompt and serious consideration which, in the opinion of this Government, it merits.

CLAIMS AGAINST COLOMBIA.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, and, on motion of Mr. CULLOM, was, with the accompanying papers, referred to the Committee on Foreign Relations, and ordered to be printed:

To the Senate:

Referring to Senate Document No. 284, Fifty-seventh Congress, first session, I transmit herewith a report by the Secretary of State, with accompanying papers, in the claim of Messrs. George A. Tarler & Co. against the Government of Colombia, which were inadvertently omitted from the papers sent to the Senate on March 20, 1902, in response to the Senate's resolution of March 15, 1900.

THEODORE ROOSEVELT.

WHITE HOUSE, January 29, 1903.

STATEHOOD BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12543) to enable the people of Oklahoma, Arizona, and New Mexico to form constitutions and State governments and be admitted into the Union on an equal footing with the original States.

Mr. LODGE. Mr. President, I was discussing yesterday, when I yielded the floor, the question of population as one of the necessary conditions of the admission of Territories to statehood. I laid down the proposition that a too small population was an objection; that theoretically we ought to have a population corresponding to the proportion which the Constitution required when our total population was 4,000,000, and which would make the requisite population of a new State now a million and a half. I also laid down the further proposition that of course it would be absurd to attempt to enforce any such rule as that rigidly; that the numbers we require in the admission of any Territory to statehood must be a subject of discretion, upon which we must pass not only with a view to the actual population, but with a view to the probable population which the State could sustain or would be likely to gather in the future.

Now, Mr. President, I will pass from the first proposition that a sufficient population must be one of the conditions of statehood and come to what seems to me to be the second test. We have a right to ask not only whether the State has sufficient population at the time or a sufficient prospect of population in the future to

entitle it to admission to statehood, but we also have the right to ask that that population should be of a proper quality.

This is a matter of very great importance. The quality of our citizenship, as I have already pointed out, is something which we undertake to guard both in the immigration and in the naturalization laws, and it certainly ought to be guarded in any law which admits an entire community to citizenship in the United States. We have a right to ask of any Territory seeking admittance as a State to the Union whether their population is American, whether it is imbued with American ideas, attached to American institutions, whether it speaks our common language, and possesses all the other attributes which we consider to be typical of an American community.

The third test which it seems to me we have a right to apply is, whether the Territory presents those conditions which will insure a population such as any State in this Union ought ultimately to have. The population of the different States ought not to be too widely different in numbers. It is not well to have one State with a population of 7,000,000 represented in this Senate with two Senators and a State with a population of 100,000 or a few hundred thousand with an equal representation. It is desirable that disparities of that kind should be as few as possible. While it is not necessary to require that a State should have at the moment of admission a million or a million and a half of citizens, it is fair to ask if it presents these natural conditions which will enable it in the process of time to acquire a population sufficient to put it on a due equality with the other States of the Union.

Now, Mr. President, in this connection I wish to examine briefly what constitutes a State. Of course the people primarily are what constitutes it, but on what are States built and in what way is population gathered in any given region or area of country? Primarily agriculture. Where we know that a State has agricultural lands, great regions suitable for the operations of agriculture, we may confidently assert that if it has not the population proper to a great State at the moment it is certain to attain to it, and all our history and the history of all our States shows that to be the case.

But we must inquire a little further than this. A State can not be built on prophecies and predictions and prospects. It must present the actual material qualities which insure the necessary population and which qualify it to take its place in the great commonwealth of States.

Agriculture, as I have said, is the first of those conditions. We have a right to inquire whether the agricultural lands are sufficient to insure the population which we are entitled ultimately to demand of any State. But agriculture is not the only thing that makes a State. Manufactures also do it. Large populations can be gathered by manufacturing industries and States built up in that way. But manufactures likewise require certain conditions for success. Most of our manufactures started on the possession by the region where they were founded of water power. There is also necessary for the successful prosecution of manufactures neighborhood to markets and to the sources of the raw material used. The growth of manufactures, however, under the best circumstances and with the greatest natural advantages, is comparatively slow. They can not be built up with the rapidity with which a country can be opened to farming. Therefore, even if a region of territory offers all the qualifications necessary for manufactures, we have to make due allowance for the time required to gather together a manufacturing population.

Another element in State building is commerce. Commerce demands primarily the ocean; if it is an inland region there must be rivers and inland waterways. We must inquire, and we have a right to inquire, into all those points when we are deciding about the fitness of any given region for admission as a State into the Union. The consideration of the rivers and the waterways, of course, will indicate whether the State is well adapted for distributing points and for trade routes. This is a matter of the first importance when we come to consider the question of the accumulation and increase of population. A State in a region ill adapted for trade routes is easily made eccentric; that is, it is easily thrown out of the great lines of traffic and of commerce, and thus remains eccentric because it never meets the line which commerce takes—almost invariably the line of least resistance.

Mr. President, I have pointed out roughly some of the qualifications which are necessary for the upbuilding of a State and for gathering a suitable population—adaptability to agriculture, to manufactures, or to commerce. A State which has the conditions necessary for any one, or for all of these, may safely be admitted with the certainty that only time, more or less limited, will be needed to bring an ample population within its borders, but a State which does not possess any of these qualifications at once presents the grave danger that we are making a State and giving to it all the powers which a State has under our system, without any reasonable prospect that it will ever acquire the population which every State of this Union should have, if we are not to present too violent a contrast between the power of

population and the arbitrary power of certain areas of territory known as States.

In two of the Territories which it is proposed by this bill to admit as States, the great industry—practically the only industry of any importance—is mining. And I wish to examine the matter of mines and mining briefly, with a view to determining, so far as we may, whether in mines and mining we find an assurance of a great and stable population. In the two Territories to which I refer this is a question of the very first importance. Their agricultural lands are exceedingly limited. They may be increased by irrigation. But that is a speculation of the future, and you can not found a State on the hope of the eager people who want to have it admitted as a State. Their grazing lands are limited, according to the testimony, to a region of about 5 miles on each side of their rivers. Their rivers are comparatively few, of uncertain depth and volume, often very dry. They present, so far as I can learn from the testimony, but slight prospect of furnishing the water power which lies at the basis of manufacture.

Therefore, Mr. President, in discussing the possibility of those Territories becoming suitable States of the Union in point of population, it is necessary to look very closely at that which constitutes the only large source of their wealth to-day. That wealth is drawn from mines; chiefly, so far as I can judge, from mines of the precious metals, though there are large and very valuable mines of copper in one of them.

Now, as to the wealth of States founded on the wealth of mines, it may be laid down as a general proposition that great populations can be assembled by mines and their products only when you can combine the product of the mine with the product of the factory, when you have your iron and your coal near together, and when the manufacturer can follow hard upon the footsteps of the miner. If that condition exists, you can produce such a region as the coal and iron districts of England or of Pennsylvania or of Alabama. There you have the baser metal, together with coal, in such large and convenient quantities and so near to each other that they present at once the most inviting of opportunities for manufacture, and you can build up a lasting population and a large population in that way. But Arizona and New Mexico are Territories chiefly distinguished for the precious metals, for silver or for gold.

There can be no doubt, Mr. President, I think, in the mind of anyone who will take the trouble to examine history, that no great population has ever been assembled, no great cities have ever been built, near mines of the precious metals. If you will go back to the beginning, to the earliest period of recorded history, and take the history of Egypt, so far as we can discover it from the inscriptions and records which remain, you will learn that the copper mines of Maghara, which were on the other side of the Red Sea, were one of the great sources of the wealth and the development of Egypt. But Egypt did not grow up in the neighborhood of the Maghara copper mines. The population and the wealth of Egypt, the great cities, and the mighty trade all were in the valley of the Nile.

In the same way recent discoveries have disclosed to us the fact that there were gold mines in Rhodesia, where at the present day the world is again taking out large quantities of gold. Old workings have been discovered there which indicate that at least £150,000,000 of gold were taken from the mines in Rhodesia. It is believed that gold was carried by the Phœnicians to Arabia, and thence it passed into Egypt. There are the remains of ruined cities in the neighborhood of those gold mines; but the significant fact is that there have as yet been discovered scarcely any cemeteries and scarcely any skeletons indicating a permanent population, a place where people lived and died and stayed and buried their dead. The indications are that the dead were carried away to the countries to which they belonged, and that these cities, the ruins of which still remain, were constructed solely for the temporary population which went there to exploit the mines. The wealth and the population did not stay by the mines, but went to Egypt. It was along the valley of the Nile that the great population sprang up.

Look again at the history of Greece. There is no doubt that the strength of Alexander the Great and the strength of Greece, in earlier times, the financial and economic strength, was largely drawn from what was known as the golden Chersonese. It was the opening of the mines in the neighborhood of the Black Sea which led to the upbuilding of the Grecian system. The old fable of Jason and his Argonauts and of the Golden Fleece is simply the story in poetic form of the movement of the Greek people into the gold-mining regions of the Caucasus and of the Black Sea. But the great cities of Greece, the wealth, the strength, the population, were in Greece itself, on the borders of Asia Minor, in Sicily, and in Magna Græcia; that is, the precious metals were drawn from the mines, but the people, the towns, the civilization, grew up in the neighborhood of the ocean, on the great trade routes, in agricultural regions, and not where the precious metals were found and dug up and brought to market.

It was very much the same way in the Roman days. They drew their metallic wealth largely from Spain; but the great population—although there were many large cities in Spain which commerce and industry had built—the great population of the Roman Empire and of the ruling race was concentrated in Italy, where there were no gold mines.

When the center of exchange passed from the Adriatic to Holland, when the East was opened and gold from the East was brought to Europe, it was where the gold was brought, and not where it was mined, that great cities sprang up and great populations gathered.

If you bring the question down to more specific cases you will find everywhere that that which has determined the growth of population has been the trade routes, commerce, industry, and never the mere presence of mines. Men will dig the precious metals from the earth and carry them away to some other place. There are towns in this new country of ours, once filled with the flourishing habitations of men, and with a numerous population, which are to-day extinct. The earth ceased to yield its precious metals and population departed. You can found a population on agriculture; you can found it on commerce; you can found it on the baser metals lying ready for manufacture; you can found it on manufacture, on great rivers and great waterways, but the world has never seen any great permanent population in the neighborhood of the mines of the precious metals or the precious stones, and it never will.

In considering a State you therefore must look at the more enduring qualifications. The most enduring of all is agriculture, the industry which takes the annual increase of the earth and which never destroys that which yields it its living and its hope. You can take manufactures and plant them along the streams, and the streams will ever give them the water power. You can build a State on anything where Nature, with her kindly hand, will from year to year restore the loss you create, but you can not build a State on the precious metals alone. It is of no more consequence with the view to the future of the State whether it has precious metals than whether it has them not, because the population that it brings is absolutely evanescent and passing.

Now, having laid down the tests which it seems to me ought to be applied to the decision as to what natural qualifications a Territory ought to possess, I wish to apply those tests to the Territories now under consideration. I will not detain the Senate by a discussion of Oklahoma. It must be obvious to everyone that that Territory is fit to come into the Union—fitted in population, fitted in the character of its population, and fitted by its natural qualifications and by the reasonable prospects of growth and permanent prosperity which those natural qualifications insure. I believe myself that with Oklahoma should come ultimately or at this moment the Indian Territory. I do not think that any division should be made in that region, especially as the Indian Territory is the natural complement in its natural resources of what is now the Territory of Oklahoma. These Territories have the population and all the other qualifications of which I have spoken. I shall not, therefore, waste time in discussing before the Senate the qualifications of a Territory which seem to me conclusive as to its right to admission.

The two Territories of which I wish to speak are New Mexico and Arizona. I will take New Mexico first. I stated yesterday that I began by objecting to its name. I do not think it is intelligent; I do not think it is proper, in fact, to give a State of the American Union the name of an adjoining country. It seems to me that it should have a decisively American name. It is true that the name is to be left to the decision of the convention; but in a case like this it seems to me it is safer that Congress should decide. I do not want to have the inhabitants of any State of the American Union known as Mexicans or New Mexicans. I think it is better to separate them entirely, even in name, from another country, and especially when that country adjoins our own.

It is continually used as an argument that New Mexico has been kept out of the Union for fifty years. The argument is made that because she has been kept out of the Union for half a century therefore she ought to be admitted now. The fact that New Mexico has been kept out for fifty years is the strongest possible argument against her present admission. She has not been kept out for fifty years by accident; she has been kept out for fifty years because in the judgment of the American Congress and of the American people in all that time she has not shown a fitness to come in.

This is not keeping out an unoccupied or sparsely populated Territory. New Mexico had 60,000 people when she was organized as a Territory, and in all these fifty years those 60,000 people and their descendants have never been able to satisfy the American Congress or the American people that they had fitted themselves to become a part of American citizenship and of the great commonwealth of States. In all those fifty years they have developed no agriculture, which is the great basis of States. I do not mean absolutely none, of course, but I mean none in

comparison to the extent of the Territory or to what we should expect from a region that started with a population of 60,000.

On that point nothing could be more striking than the difference between New Mexico and Oklahoma. New Mexico, starting with a population of 60,000, has remained with a comparatively small population, with but a slight increase in agriculture, and with but a slight increase in industry. Oklahoma, opened only the other day to settlement, has got more than half a million people, perhaps nearly a million people, to-day, and is covered with towns, developing and growing in every direction. I do not attribute all this to the difference in the races which inhabit these two Territories. It shows a difference in race and in race energy, it is true, but it also shows that there was no such opportunity in New Mexico as in Oklahoma. Open a region like Oklahoma to settlement and it populates at once. New Mexico has been opened for fifty years and its increase has been trifling. Oklahoma in a few years has rushed up to a population sufficient almost for any State, and New Mexico in fifty years has climbed painfully to 195,000, all told.

The reason of this slow growth and of this continued exclusion is to be found in the history of the Territory itself. I have no desire to go into details. I am stating only the general facts, known to everyone. New Mexico came to us with a Spanish-speaking population of Spanish descent, and a Spanish-speaking population they have remained. They came to us without any school system—and I esteem a school system one of the most typical of all American qualities—and they never even began a public-school system until 1889. Think of that, Mr. President! We obtained New Mexico by treaty in 1848; we organized her as a Territory in 1850. Then forty years elapsed before they passed a law providing for a public-school system.

Mr. President, the handful of men who gathered on the edge of the wilderness in New England when the first landing of any considerable number was made, in 1629 and 1630, had by 1636 not only founded a school system, but they had even gone so far as to found a university. They were utterly detached from the world, with no communication with the outside world except by a long voyage over a stormy ocean, and yet in that brief period they had laid the foundations of popular education and of higher education as well. When the people of New Mexico were taken into the possession of the Union they were a long-settled race. They had been there for many generations. They were brought within the scope of American influences, and yet they waited forty years before they founded a school system.

That system is already beginning to produce beneficial effects.

More people are speaking English, fewer are speaking Spanish; but the Spanish still remains in large degree the language of the mass of the population, the language of the children, the language of the juries. They are obliged to have interpreters in their courts; they are compelled to print their laws in Spanish; they must have interpreters in their political conventions. To my mind, Mr. President, that is a very serious objection. I have no prejudice in the world against the Spanish language. It is a great, a noble speech; but that is not the question. It is not here a question of the comparative value of languages. It is a question of having a homogeneous people within the borders of the United States, a people who are one in aspiration, in belief, in hopes, and in ideals. Mr. President, community of language is one of the greatest and one of the most important tests that can be applied in that direction.

We have here, therefore, a Territory which has been for more than fifty years a Territory, where the population has grown very slowly, where a foreign language is still the prevailing speech, where agriculture has not yet been developed, where the industries are confined to small farming on the edge of rivers and to grazing within a region of 5 miles on each side of the stream. I do not undertake to predict that in the future New Mexico may not have a population sufficient in number and of suitable quality to be an honor and a credit to the Union. My contention is that she has it not to-day, and it is with to-day that we are dealing.

I should like next to call attention to illiteracy. The illiteracy of New Mexico, according to the last census, was 33.2 per cent. I will not contrast that with any particular State, although I have made some comparisons in that direction, but that is more than three times the average illiteracy of the entire United States, including all our colored population, among whom the rate of illiteracy is very high in certain parts of the country. Yet the illiteracy of New Mexico is three times the average illiteracy of the United States. It seems to me we have a right to demand of a new State that the rate of illiteracy should approximate, at least, to that of the rest of the United States.

Mr. President, I shall ask leave to print the table which I have here. I do not wish to weary the Senate with these figures, but I shall ask leave to print it, as I have prepared it with some care in order to contrast the illiteracy of New Mexico with the illiteracy of certain States of the United States, and I have included Arizona in the same comparison.

The PRESIDENT pro tempore. The Chair hears no objection, and the table will be printed in the RECORD.

The table is as follows:

Table showing the total population and the number and percentage of increase at every decade from 1850 to 1900.

State or Territory.	1900.	Increase, 1890-1900.		1890.	Increase, 1880-1890.		1880.	Increase, 1870-1880.		1870.	Increase, 1860-1870.		1860.	Increase, 1850-1860.		1850.
		Num-ber.	Per-cent.		Num-ber.	Per-cent.		Num-ber.	Per-cent.		Num-ber.	Per-cent.		Num-ber.	Per-cent.	
Massachusetts.....	2,805,346	566,403	25.3	2,238,943	455,858	25.6	1,783,085	325,734	22.4	1,457,351	226,285	18.4	1,231,066	236,552	23.8	994,514
Pennsylvania.....	6,302,115	1,044,020	19.9	5,258,014	975,123	22.8	4,282,891	760,940	21.6	3,521,951	615,736	21.2	2,906,215	594,429	25.7	2,311,786
Maryland.....	1,188,044	145,654	14.0	1,042,390	107,447	11.5	934,943	154,049	19.7	780,894	93,845	13.7	687,049	104,015	17.8	583,034
Illinois.....	4,821,550	995,199	26.0	3,826,351	748,480	24.3	3,077,871	537,980	21.2	2,539,891	827,940	48.4	1,711,951	890,481	101.1	851,470
Iowa.....	2,231,853	319,572	16.7	1,911,896	287,231	17.7	1,624,615	430,595	36.1	1,194,020	519,107	76.9	674,913	482,699	251.1	192,214
Kentucky.....	2,147,174	288,539	15.5	1,858,635	209,945	12.7	1,648,690	327,679	24.8	1,321,011	165,327	14.3	1,155,684	173,279	17.6	982,405
Washington.....	518,103	102,396	46.5	415,707	274,274	305.1	141,433	51,161	213.6	23,955	12,361	103.6	11,594	31,969	51.9	61,547
New Mexico.....	195,310	37,854	24.6	157,456	34,028	28.5	119,565	27,691	30.1	91,874	11,642	11.8	80,232	31,969	51.9	61,547
Arizona.....	122,931	40,550	68.0	82,381	59,620	19.8	22,761	30,732	318.7	9,658	.....	.....	.....	.....	.....	.....
Oklahoma.....	398,331	320,407	81.2	67,924	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Indian Territory.....	392,060	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....

^a Decrease.

^b Loss.

ELEMENTS OF POPULATION. [Census of 1900.]

	Total popu-lation.	Native born.					Foreign born.				
		Total.	White.	Negro.	Indian.	Chinese and Japanese.	Total.	White.	Negro.	Indian.	Chinese and Japanese.
New Mexico.....	195,310	181,685	166,946	1,588	13,120	31	13,625	13,261	22	24	318
Arizona.....	122,931	98,698	70,508	1,764	26,390	126	24,233	22,335	84	180	1,574
Oklahoma.....	398,331	382,651	351,920	18,810	11,921	.....	15,680	15,604	21	24	31
Indian Territory.....	392,060	387,202	297,894	83,833	52,475	.....	4,858	4,786	20	25	27

DENSITY OF POPULATION. [Number of inhabitants per square mile.]

State or Territory.	1900.	1890.	1880.	1870.	1860.	1850.	State or Territory.	1900.	1890.	1880.	1870.	1860.	1850.
The United States.....	25.6	21.2	17.3	13.3	10.8	7.9	Kentucky.....	53.7	46.5	41.2	33.0	28.9	24.6
Massachusetts.....	348.9	278.5	221.8	181.3	153.1	123.7	Washington.....	7.7	5.3	1.1	.....	.....	.....
Pennsylvania.....	140.1	116.9	95.2	78.3	64.6	51.4	New Mexico.....	1.6	1.3	1.0	.....	.....	.....
Maryland.....	120.5	105.7	94.8	79.2	69.7	59.1	Arizona.....	1.1	.....	.....	.....	.....	.....
Illinois.....	86.1	68.3	55.0	45.4	30.6	15.2	Oklahoma.....	10.3	2.0	.....	.....	.....	.....
Iowa.....	40.2	34.5	29.3	21.5	12.2	3.5	Indian Territory.....	12.6	5.8	.....	.....	.....	.....

ILLITERACY.

[Illiterate: A person 10 years or over who can not read or write in any language.]

State or Territory.	1900.			1890.			1880.		
	Total population of 10 years or over.	Illiterates.		Total population of 10 years or over.	Illiterates.		Total population of 10 years or over.	Illiterates.	
		Number.	Per cent.		Number.	Per cent.		Number.	Per cent.
The United States.....	58,224,600	6,246,857	10.7	47,413,559	6,324,702	13.3	36,761,607	6,239,958	17.0
Massachusetts.....	2,267,048	134,043	5.9	1,839,607	114,468	6.2	1,432,183	92,980	6.5
Pennsylvania.....	4,885,379	299,376	6.1	4,063,134	275,353	6.8	3,203,215	228,014	7.1
Maryland.....	920,715	101,947	11.1	798,605	125,376	15.7	695,364	134,488	19.3
Illinois.....	3,727,745	157,958	4.2	2,907,671	152,634	5.2	2,269,315	145,397	6.4
Iowa.....	1,711,789	40,172	2.3	1,441,308	52,061	3.6	1,181,641	46,609	3.9
Kentucky.....	1,589,685	262,954	16.5	1,360,031	294,381	21.6	1,163,498	348,392	29.9
Washington.....	408,437	12,740	3.1	275,639	11,778	4.3	55,720	3,889	7.0
New Mexico.....	141,282	46,971	33.2	112,541	50,070	44.5	87,966	57,156	65.0
Arizona.....	94,147	27,307	29.0	46,076	10,785	23.4	32,922	5,842	17.7
Oklahoma.....	287,055	15,774	5.5	44,701	2,400	5.4			
Indian Territory.....	274,324	52,052	19.0						

Mr. LODGE. Mr. President, my contention in regard to New Mexico is that although her population equals that of a single Congressional district she does not present a sufficient population in proportion to her territory; that she does not present a population suitable at present for American citizenship—I am speaking of it as a whole—and that she does not as yet present those conditions which would warrant the expectation of a sufficient population in the near future. To my mind those objections are fatal.

I know it is said that her population was not correctly returned, but, Mr. President, her population was returned according to the census of the United States. We have to act upon that census. My State and your State receive their members of Congress on the United States census. All the rights we have dependent upon numbers of population rest on the national census, and what is good for the rest of the country is good enough for these Territories, and there is nothing else that we can rest on anywhere.

That census gives New Mexico barely the population of a single Congressional district. That population, as I have shown, is still largely Spanish speaking. For only a little more than ten years—thirteen years, to be exact—has it had any public-school system. Its illiteracy is very high. There is no indication as yet in the natural conditions that there is going to be agriculture there, or manufactures or commerce upon which a great population will surely arise. Therefore, the argument is conclusive in my mind against admitting New Mexico at this time into the Union as a State.

I now pass to the other Territory—Arizona. I will take primarily the first test—the actual population. It is given in the census as 94,000. By adding the Indians I believe they have brought it up to 123,000. But the white population of Arizona is not over 94,000. There is a Spanish-speaking element there also, but not a large one.

But the most interesting fact about Arizona is in regard to illiteracy. As Arizona has approached the demand for statehood the illiteracy has increased and not decreased. The illiteracy in Arizona in 1880 constituted 17.7 per cent of the population; in 1890, 23.4 per cent, and in 1900 about 29 per cent. That is, the illiteracy of Arizona has been progressive. It is not yet as large a percentage as that of New Mexico, but it is nearly so, and at its present rate of progress it will pass it by the next census. In New Mexico it is fair to say that illiteracy is decreasing.

I think we have reason to pause and give very careful consideration before we decide to admit to citizenship in the United States a population in which illiteracy is on the increase. The population of Arizona is too small under any conditions for present admission, and it is a population with an increasing ratio of illiterates. That, in my mind, is conclusive as to its quality. It has not as yet shown any of the great material conditions necessary for the largest population. It has not as yet shown any great opportunities for agriculture, for manufacture, or for commerce. I know, of course, there is irrigation, and that it is said that when the land is irrigated it will be one vast garden. That may possibly be true; and when irrigation is a success, and a reasonable portion—I will not say all—of Arizona is a garden, no one will be more ready to admit it than I. But we can not admit States on the prospect of what they will do when they are irrigated and when irrigation becomes a success. We must judge them on what they are to-day. We can not admit States on the rosy visions of would-be Senators. We are not admitting Arizona as she may be possibly fifty years hence. It is proposed to admit her now. It is proposed to admit her to an equal share in the Senate of the United States, in the government of this country, in the settlement of our foreign relations, and in our electoral college. The question is, Is she fit for it now? I do not see any sign of fitness, with that small population, that increas-

ing illiteracy, and with the great conditions under which a State alone can be built as yet wholly undeveloped.

Mr. President, I might go on and read testimony at great length from the admirable investigation made by the committee, but I do not think there is a single one of the general propositions I have laid down in regard to these two Southern Territories which can be successfully controverted. I do not wish to burden the RECORD or weary the Senate by reading to them page after page of testimony; but all the testimony demonstrates what I have said. I believe every word I have spoken is susceptible of absolute proof as to the numbers and quality of the population, the language spoken, the amount of illiteracy, the general material resources of the Territory at the present day, and the prospect of a suitable and sufficient population within any reasonable time. According to my view, neither Arizona nor New Mexico reaches in any degree the qualifications which I deem necessary for statehood, and which I should require for a State before I should willingly vote to admit it.

For these reasons, Mr. President, I feel constrained to oppose this bill. I think, as I said at the outset, that it is a very grave matter indeed—this admission of new States into the American Union. I do not think it ought to be done in this way. I do not think it ought to be done by omnibus bills. I think every State should come in on its own merits. I do not think a bill should be crowded through, with all amendments refused, in the hurried days of a short session, which involves the admission of six Senators into this body.

Mr. President, I do not think that this bill of all bills should have applied to it the unusual methods which are now applied, and which are still further threatened. I think to attempt to place this bill as an amendment upon an appropriation bill, which can only be done by an absolute disregard of the rules of the Senate and of every principle of parliamentary law, and by overruling the decision which any occupant of the chair would be obliged to make, can only recoil on those who promote such methods. Those who are in opposition and in a minority at the moment, may be in the majority to-morrow. It is well for those who are advocating these extreme measures in order to get this bill through, made up as it is of three wholly distinct propositions, to remember that if they adopt extreme measures they are establishing precedents which may return one day to plague them.

I can recall a time, Mr. President, before I had the honor of a seat in this body, when a measure, of which I had charge in the House, came over here, and Senators on the other side found in the rules their protection against what they considered very dangerous legislation. It is well for us to remember, Mr. President, that revolutionary precedents in legislation should not be made. It is in itself an argument against this measure that revolutionary methods, disregard of absolute rules, disregard of parliamentary law are thought necessary to urge it to a vote.

I think, Mr. President, that this is a bill which can not be too fully or too thoroughly discussed. There are many Senators who still desire to discuss it; the debate is far from being exhausted upon it, and we have a right to demand on a matter of this importance that the discussion shall proceed in ordinary and usual ways.

Mr. President, I have no desire, for one, and I have never had any desire, to enter on methods of obstruction. I do not think I ever took part in either House in any obstructive tactics. I do not mean to say they are never justified—I have just alluded to a case where Senators on the other side thought they were amply justified—but I do say that if it is ever justifiable to obstruct, if it is ever justifiable to bring an extra session upon the country and upon Congress, it is when it is proposed or suggested that general legislation embodied in a great bill of this character shall be driven through in the face of parliamentary law, in the face

of our own rules, in the face of all precedents, by being attached to an appropriation bill.

Mr. President, I have said what I have to say upon this subject. I feel very strongly the unwisdom, the impolicy of admitting two of these Territories. I feel especially that it is most unwise and injudicious to pass in this way, under the cover of an omnibus bill, without the opportunity to amend it, an act which no succeeding Congress can ever repeal. When we take this step it is taken once and for all, and before the United States resigns its power over this Territory, Mr. President, which it acquired as the United States, I sincerely hope that the Senate will pause and will give every opportunity for a full discussion and for a thorough debate of what must ever be one of the most momentous propositions that can come before us. And when Senators decide, let them remember that they are not closing an account, but that we have other Territories and other possessions, that they are making a precedent for future Congresses, and that it lies with them not to make a precedent which may recoil upon them with tenfold force and bring in dangers to the State which no one now contemplates.

Mr. DUBOIS. Mr. President, I have listened with a great deal of pleasure and attention to the Senator from Massachusetts [Mr. LODGE], as I always do, because he is painstaking and is usually accurate, and he states his case with precision and in such a manner that no one can misunderstand him. I do not now intend to make a speech, nor do I at any other time, I think, in regard to the admission of these Territories.

But I submit to the Senate that the able Senator from Massachusetts insisted all through the argument that these Territories should be treated differently from any other Territories which have ever applied for admission to the Union. In every point he makes he insists that there should be, with regard to the admission of Arizona and New Mexico, an exception to the rule which has been established by long precedent. For instance, Congress has never, I think, changed the name of a Territory, and the bill before us provides that the constitutional convention of New Mexico, which will be held under the enabling act, may change the name of the Territory to some other name if they desire. It has been the custom of Congress always to allow incoming States to choose the names of their States. He laid great stress upon that.

Then it has been argued before the Senate in regard both to New Mexico and Arizona that the States should assume the indebtedness of some counties in the States. There is in this bill the same provision in regard to the debts of those Territories that there has been in bills for all the Territories heretofore admitted, which is that the State shall assume the indebtedness of the Territories.

Then he objects to an omnibus bill. Why did he not object to the omnibus bill which admitted North Dakota and South Dakota and Montana and Washington? There is a precedent which the Senator from Massachusetts did not object to establishing at the time the Senate passed the bill making a State of South Dakota and a Territory for North Dakota. That is right. The bill went to the House. The House passed a substitute making two States of Dakota, North and South Dakota, and a State of Washington and a State of Montana; and the Senate afterwards accepted that substitute, it having gone into conference.

The Senator says that no amendments are allowed. He says that Senators ought to be allowed to amend this bill. Why? When Idaho was admitted it was admitted by the Senate precisely as the bill came to the Senate from the House. Why? I was a Delegate in Congress at the time, and I was no more diligent than these Delegates are, I can assure you. I know from experience how anxious the Delegates are to give their Territories the great boon of statehood. I took advantage of all the other bills which had preceded, and framed a bill on such lines that, unless a departure was made from custom, there would be no necessity for amending the bill in the Senate. It is not a sign that the bill is faulty that we do not want to have the bill amended. We fear, and more so since this debate has commenced, that an amendment will defeat the bill. Having the opportunities which the Delegates have had for framing a bill directly in line with the bills which admitted all the other Territories, there is no necessity for an amendment. Very few suggestions of amendment have been made.

I point out these matters because the Senator from Massachusetts referred to them all and insisted that a departure from established custom and precedent should be made in regard to the admission of these Territories. It is the opinion of those most familiar with the Western country, those familiar with the resources of the arid regions, that both New Mexico and Arizona possess great opportunities in an agricultural way.

There is as much agricultural land in the Pecos Valley in New Mexico as there is land in the State of Massachusetts. There is more agricultural land susceptible of cultivation in each of these Territories than there is land in the State of Massachusetts. And in addition to that there is water sufficient to serve these lands.

I would say in addition that Congress in admitting Territories in the past has looked to the future and not to the present. Otherwise the State which I have the honor in part to represent here and the State of Wyoming would never have been States of this Union.

Idaho had but 80,000 population and a very few acres comparatively of lands in cultivation when we were admitted. We increased 100 per cent in population during the past ten years and 100 per cent over that in the last three years. It has brought capital there which has built great canals and opened up our country. It was being opened up slowly in Territorial days. Only the other day, as I said before, one tract of 271,000 acres of land was taken up in my State under the Carey Act by capitalists, and not only is the State getting the benefit of the act, but of the population which is coming in.

It will of necessity be the same in New Mexico and Arizona, because they have demonstrated that they can cultivate the arid lands in that country. Under the wise provision of the irrigation law which was passed at the last session of Congress, which puts into the irrigation fund a large sum of money for these purposes, the development in these Territories must of necessity be great and rapid.

As I said, I do not intend to make a speech. But the Senator from Massachusetts, notwithstanding his able argument, has contended on every point that an exception from the long-established rule and precedent must be made if you oppose the admission of these two Territories.

Mr. LODGE. Mr. President, I am quite willing to argue in favor of an exception if it is necessary. I do not think I put it quite as strongly as the Senator from Idaho has presented it, but I am perfectly willing to take the ground that if the manner and principles on which we have admitted States heretofore have been erroneous it is time to change them. The fact that we have been careless and reckless in admissions before seems to me not an argument for repeating it, but an argument against it.

I suppose it is very true that there is as much land along the Pecos River as there is in Massachusetts, and yet in fifty years the population of Massachusetts has gone from about 1,000,000 to about 3,000,000, and the population of New Mexico has climbed from 65,000 to 195,000. Now, there must be something in the natural resources to account for that. If there are these great opportunities for agriculture already existing it is curious that they have not been developed.

So far as irrigation goes, that is a matter of speculation, a matter of hope. We can not tell yet how far it will develop and what it will develop.

- I do not want the Senator to misunderstand me on one point. I did not mean to say that we ought to demand that a State, at the moment when it seeks admission, should have all of the qualifications of a State of the Union that has been a State for twenty, fifty, or one hundred years. I meant to say that it should have a reasonable qualification and also should show those conditions and those natural resources which would promise in the future a population suitable and large enough for statehood.

I do not contend that those conditions have not yet been developed in New Mexico. As far as its being exceptional is concerned, if it is exceptional New Mexico is an exceptional State. We have never before been asked to admit to the Union a Territory inhabited at the time of its acquisition by a Spanish-American population and largely inhabited at the present moment by a similar population. All our States that have been admitted hitherto, whether the population was large or small, were almost without exception States which had been populated from the old States or from Europe, as the old States themselves were populated. That is, in all the new States we were bringing in and making a part of the Union men who for the most part had already been identified with the Union in the States from whence they came.

But here we are confronted with a State where the basis of population is that of the original Spanish-American settlers, and there we are making an entirely new precedent. When we are making an entirely new precedent in regard to territory with a large existence of Spanish-American population, it is well to remember that we have some other territory with Spanish-American populations, and that we ought to be very careful before we make a precedent rashly.

Mr. QUARLES. Mr. President, as I came into the Chamber I heard the Senator from Idaho [Mr. DUBOIS] say that there was an abundance of water for purposes of irrigation. Now, if the distinguished Senator in making that remark was referring to the Territory of New Mexico, I should like to ask the Senator, who is undoubtedly more familiar with the topography of that country than I am, what streams there are in New Mexico available for irrigation aside from the Rio Grande and the Pecos? As I understand it, the Territory of New Mexico is dependent upon those streams. If there are other streams of any considerable size that are available for irrigation there, I am not aware of the fact.

In this connection I should like to ask the Senator from Idaho what his opinion would be as to the future development of irrigation in New Mexico if the Supreme Court should finally conclude to apply the common-law doctrine as to riparian rights to those two interstate streams? I should like to have the Senator inform the Senate, if he is willing, as to what the plight of New Mexico would be if the Supreme Court eventually applied that doctrine to those two streams.

Mr. DUBOIS. I would say to the Senator from Wisconsin, speaking generally, that the Supreme Court could not very well apply that doctrine, I should think, because the water was appropriated first; they were the prior appropriators.

Mr. BEVERIDGE. What was the Senator's statement?

Mr. DUBOIS. It would be a very serious question to answer if the Supreme Court makes such a holding as that, not only in regard to these Territories, but in regard to others, my own State included.

Mr. QUARLES. Then I understand that my friend is unable to describe any future development of irrigation if that doctrine were to be applied to those two great streams.

Mr. DUBOIS. Your friend is unable to state what steps he would take, because it would apply elsewhere. Take my own State, for instance, which is the best watered of all the Western States. Our great stream, the Snake River, which carries an immense volume of water and runs all over the State, rises in Montana and it does not flow into Montana at all. It would be quite an interesting question for us if the Supreme Court should hold that we can not use those waters. I contemplate that they would not so hold.

Mr. QUARLES. I evidently am not successful in my effort, which was to elicit from the Senator an expression of opinion as to what effect such a ruling if it should be made would have upon the future irrigation of New Mexico.

Mr. DUBOIS. I am not prepared to express any opinion. I would have to form an opinion very carefully if such a ruling were made.

Mr. QUARLES. Of course the Senator, as a lawyer, will recognize the fact that the doctrine of prior appropriation is not a part of the common-law doctrine.

Mr. DUBOIS. Very fortunately, I am not a lawyer, and therefore I can not see the fine distinction which the Senator is trying to draw. I can imagine in my own mind that reservoirs, for instance, will be built down there. There might be some other methods, if the Supreme Court should make such a ruling, which I as a layman do not believe it will make, by which we could still cultivate our lands.

Mr. QUARLES. Instead of being fortunate, it is unfortunate, for the profession at least, that my distinguished friend is not a lawyer. At the moment I was laboring under the impression that the profession had the honor of counting the distinguished Senator among its representatives. Therefore, of course, I will not press a purely legal consideration upon his attention at this time, but I shall hope at some future time to be able to discuss this question in the Senate from a legal standpoint.

Mr. BEVERIDGE. Mr. President, the Senator from Idaho stated, in answer to the Senator from Wisconsin, that he could imagine such and such a thing might be done down in New Mexico, and that such and such a thing might possibly be done. Does the Senator think that "imaginings" and "mights" and "perhappes" are the things upon which statehood should be built?

Mr. DUBOIS. There are eight reservoirs in Colorado now, from which water is diffused to the adjacent lands. It might happen that they would have some reservoirs, I should think, in New Mexico or in Idaho. We have not any in Idaho yet. It has been demonstrated that we can have reservoirs there and work them successfully. There is no reason to suppose they could not do it in other States where they are needed.

Mr. BEVERIDGE. I insist that the question put to the Senator, and which he did not answer, nor attempt to answer, is the germ of this whole matter. It is said here that things might happen, and perhaps they could happen. They imagine that in the future so and so will be so and so. Well, then, would it not be a very good thing to wait until those imaginings come true?—because it is conceded that these things which might, and which are imagined, and which perhaps will exist, are the things upon which the State of the future must flourish. Suppose the imaginings do not come true, and suppose the might-bes do not become realities, then would it not be better to wait and find out whether or not they will become realities?—because when the thing is done it is done irrevocably.

Now, about reservoirs, the Senator has had practical experience possibly with reservoirs. I have not; but I have read somewhat of reservoirs. I will ask the Senator if he knows how long it would take, conceding the work to be possible and now begun, conceding further that there was abundance of water to be had, something that the Senator must establish in order to make his

proposition good—conceding all those elements, how long would it take, does the Senator think, to build reservoirs and get them in operation, so as to supply even 1,000,000 acres of land? I would be glad to have the Senator answer that question.

Mr. DUBOIS. Mr. President, the Senator from Wisconsin asked me what would be the effect of a Supreme Court decision that not would prevent the waters from going down to New Mexico, and in the course of our discussion I said perhaps they would build reservoirs; that I could imagine they would build reservoirs. That was the imagining I was indulging in in answer to that question of the Senator from Wisconsin. It was not, as the Senator from Indiana would try to make it appear, that I was imagining all sorts of things, imagining that something would happen in these Territories. I was answering a direct question of the Senator from Wisconsin, and I beg the pardon of the Senator from Indiana for getting out of patience with him at all.

Mr. President, I think it would not take long to build reservoirs and store water in them and distribute the water through canals on arid wastes, if you had the money; and by the legislation which has been passed, and which I am very glad to say can not be undone, we have got the money, and we will get more of it. It is going into the fund at the rate of eight or ten million dollars a year, and is going to reclaim these waste places. They are making the surveys now in the Territories of Arizona and New Mexico. The Government is looking to the appropriation of this money in great irrigation works, and it has been demonstrated in this country beyond all cavil that it is the best country ever found for irrigation.

Mr. BEVERIDGE. Mr. President, I also applaud that great scheme of practical statesmanship, proposed and finally put through very largely by the President of the United States. Further, equally with the Senator from Idaho, I indulge the hope that it will work the wonders expected of it. But every man who knows the subject (and it is not for me to say that the Senator does not know the subject) knows that that is a question for the future. The question is, Suppose it did not result as expected? Suppose the barren wastes of which the Senator speaks were not reclaimed? Then we would be in the condition of having done a thing upon anticipation with the anticipation, which was its foundation, destroyed. Does the Senator think that that is a proper position of wise and cautious and conservative statesmanship?

All this debate has proceeded upon the assumption that great things were going to be done. Had we not better wait until they are done? The whole argument has been based on futures.

The Senator stated that I said he was imagining with reference to a great number of things, and yet my question was with reference to the particular thing which he says he did imagine, to wit, the construction of reservoirs. I asked the Senator, conceding the water to be there, conceding all that he says, how long it would take to construct the reservoirs and build the canals, so as to reclaim for human purposes even a million acres of land? He does not answer it, Mr. President.

Well, as a Senator from a part of the country near, at least, the arid portions of the country, the Senator knows that to create one of those reservoirs would require two or three years, if it was a considerable one. Suppose it did not require more than one year, the Senator's colleague will tell him that it requires thereafter at least three years of water in the reservoir to so saturate the soil that it will not sink in and be soaked up—so as to make the soil so full of water that it will after that retain water—that after that it requires two or three years to get the atmosphere so impregnated that the rest of the water will not evaporate, and that after that a period of time must elapse when the water must soak into the canals, so that their channels will run the water to the fields.

Now, these are things that I get from people who live very near the Senator himself. I do not know them from my own personal experience. Therefore in answer to the Senator's imagining that reservoirs might be built, the practical question immediately confronts us that it would require years before any practical results could be achieved, even admitting that they could be achieved at all. Is it not wiser to wait until that is done; until that land is reclaimed, if it can be, and I hope it can; until the people live there upon it; until population has increased, before we do this irrevocable thing which no power on earth ever can undo? That is the question I put to the Senator.

Mr. BARD. Mr. President, in view of the condition of my voice, which is impaired by recent illness, I am not justified in attempting to make as extended remarks as I might otherwise wish to make on the question of the admission of the Territories, proposed by the omnibus bill now under discussion; but I hope to be able to supplement the almost exhaustive information that has already been presented by the committee's report and by other members of the committee who have preceded me in the debate by stating

some additional facts which, in my judgment, should be considered, and explaining the reasons that will control my vote in opposition to the bill.

It will be impracticable for me to take up and review many of the facts which, to my mind, show that neither New Mexico nor Oklahoma, alone and without the Indian Territory, should now be admitted as States; but, in view of the peculiar form of this bill, which submits to us for decision but one proposition, namely, whether or not all of the three Territories shall be admitted to statehood simultaneously, it is only necessary, under the circumstances, for a Senator to indicate his objections to the admission of any one of the three Territories in order to justify his opposition to the whole omnibus bill. Therefore, for the sake of brevity, and for other reasons which will soon be referred to, I shall confine my remarks almost exclusively to Arizona. But my objections to Arizona will be found to apply in a general way also to New Mexico, for its growth in population in the last decade has been slower than Arizona, and its illiteracy is greater.

In this connection I will say that so far as I have discovered there has been no sufficient explanation made either in the other House or here in the discussion of this measure by its friends why it was necessary that the three separate original measures introduced by the Delegates from each of the three Territories should be considered in an omnibus bill, and why they must all stand or all fall together.

We have the statement of a distinguished member of the other House [Mr. GROSVENOR], referring to this bill, that it was apparent that somewhere in the bill there is a weak spot, else there would have been no occasion for the massing together of the Territories in one grand combination seeking votes for a measure that could not have received the votes of the House of Representatives if submitted upon separate propositions.

The only other explanation which I have seen—and that is very general in its character—is given by Mr. KNOX, the chairman of the House Committee on Territories, who, in his opening remarks describing the various provisions of the bill, said:

If there was any doubt whatever in the minds of the committee—and I do not say there was—upon the question of admitting any Territory, there was no doubt that if any one of the three Territories was entitled to admission, they all were.

It could not be said, he continued, that one Territory was entitled to admission and another was not. He then said:

Would you undertake to say that a Territory having 500,000 people was entitled to admission and a Territory having 200,000 was not? Then you would have to face the precedents of the past, admitting a majority of the Territories of this country with less population than 200,000. Would you say that a Territory having \$50,000,000 of taxable wealth should be admitted and one having \$30,000,000 should not? Then you would run counter to the precedents under which a majority of the Territories have been admitted with property of less value. Would you raise an issue in regard to the territorial extent of these communities? Then the decision would still be in favor of admitting all.

But, Mr. President, a Territory might not be entitled to statehood even if it had 500,000 inhabitants; and another Territory might have \$60,000,000 or \$600,000,000 of taxable wealth, and yet lack other qualifications and be rightfully debarred admission into the Union; and still another Territory might be unfitted for statehood even though its area exceeded that of Alaska.

If other States have been admitted to the Union having less population, less area, or less taxable wealth than any of the three Territories named in the bill, such precedents can not be held to be sufficient in themselves to confer upon either Arizona, New Mexico, or Oklahoma an equality of right with each other or any right whatever to be admitted to the Union.

The conferring of statehood upon a people involves not only the recognition of the preparedness of the people for assuming such dignities and responsibilities, but also involves the consideration of the interests of the States already forming the Union. It is a matter of great importance to the whole people of the United States that when a new State is admitted it should have a population which, in intelligence, morality, and devotion to the principles of our Government, as well as in numbers, will compare favorably with the average of the peoples of the other States. It should be sufficiently equipped with resources, developed or undeveloped, having above all the quality of permanency, which will insure its ability to bear the burdens of the State government for all time without overtaxation of its citizens.

I entered upon the consideration of this bill, fully aware that, by reason of the many close relations, involving common commercial interests, existing between the peoples of Arizona and California, it was expected by many of them that I would have no hesitation to support any measure that is intended to give to our neighboring Territory the long-coveted benefits supposed to be incident to the granting of statehood; and that it was assumed that such a measure, proposing for the West additional representation in the House of Representatives, in the Senate, and in the electoral college, could not fail to receive my support. This expectation was expressed early by the Arizona newspapers, later

by some of the leading newspapers of California, and subsequently by some of the representative commercial bodies of California.

These circumstances made it quite easy for me to begin the consideration of the measure with preconceived ideas favorable to the admission of Arizona, at least; and the consideration that the measure had already been passed in its present form by the House of Representatives facilitated the process by which I was being led further to regard it with favor.

It is easy to be misled into erroneous conclusions through partial views and prejudices and sentiment, but when we rise to a realization of our whole duty our view is no longer obscured by the colored atmosphere of selfishness and local interests.

Ordinarily I would subordinate my own judgment to the opinions of the people of my State, when they are fairly and definitely expressed, with full knowledge of all the facts, especially in regard to policies affecting their vital interests alone; but in a matter like the pending question, involving the consideration of my duty as a Senator to the whole people of the United States, I recognize no higher authority and direction than my own judgment and conscience. I may be pardoned for referring to the aspect which the consideration of the measure has assumed to me personally when I state that my action in voting with the majority of the Committee on Territories during the latter part of the first session of this Congress, upon the motion to fix a date for the consideration of this omnibus statehood bill, and also my action in joining the majority of the committee in its adverse report on the bill, has been severely criticised by many of the Arizona newspapers, and by some of the California newspapers, for what they consider my disregard for the interests of that section of the country; and because of this criticism I am the more desirous of briefly indicating the convictions which have governed my action in the matter.

I propose, then, to consider whether Arizona is qualified in respect to the number, character, and intelligence of its population for statehood, and whether the present and possible development of its resources afford satisfactory assurances that they will soon attract and hold permanently a population which will bear a reasonable proportion to the population of the rest of the United States.

I regret that I was prevented from joining the subcommittee when it visited the Territory and from personally investigating the conditions there. My own knowledge concerning Arizona, based only upon my personal observations, is limited, and it would be unfair for me to be influenced entirely by the impressions which are naturally formed from what I have seen during my frequent journeys over the two transcontinental railroads which pass completely across the northern and southern portions of the Territory, for I am aware that the most important towns and the greatest development of its resources are located away from these trunk lines. And the information which I have concerning those better portions of the Territory and my own experience in a semi-arid and semitropical country guard me against the common error which many tourists fall into of supposing that there are no sections of its area more attractive than the dry and desert regions through which they must travel on those routes, or that it is impracticable to make of the desert a fit habitation for man.

In adducing my conclusions I have depended largely upon the information that is open to every citizen and afforded by the census statistics of the United States, by the reports of the governors of the Territories, and by the valuable testimony of the citizens of Arizona, which is reported by the committee.

I do not deem it necessary to apologize if I should repeat some of the essential facts and figures already used over and over again in the remarks of those who have preceded me in this debate, for they are the foundation upon which our conclusions are based, and my remarks as a whole would be incomplete without again stating them.

POPULATION.

The Territory contains within its boundaries 113,000 square miles, or 72,320,000 acres. In 1860 it was a county of New Mexico and had a population of 6,482. It was organized as a Territory February 24, 1863. Exclusive of persons on Indian reservations, it had, in 1870, a population of 9,658; in 1880, 40,440; in 1890, 59,620, and in 1900, 99,550.

The total population as given in the census report for 1900 is 122,931, including 23,381 persons on Indian reservations.

According to the census of 1900, the density of the population of Arizona, including Indians and others on Indian reservations, was 1.1 persons to each square mile, being less than the density of any other State or Territory, except Nevada and Wyoming, the density of which were, respectively, four one-hundredths and nine one-hundredths. In 1890 the density of the whole population of Arizona, exclusive of Indians, was eight one-hundredths,

and the apparent increase of the density of population to 1.1 persons per square mile in 1900 is due largely to the inclusion of the 23,381 Indians in the estimate of 1900.

Mr. BEVERIDGE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from California yield to the Senator from Indiana?

Mr. BARD. Certainly.

Mr. BEVERIDGE. So I understand from what the Senator says that if you exclude from the entire population of Arizona the 30,000 Indians that would make the population considerably less than one to the square mile?

Mr. BARD. Yes; that is correct.

By deducting the number of Indians and persons on reservations there is left a population of 99,550 other than Indians, which would give a density of only eighty-eight one-hundredths instead of 1.1 persons; and therefore the increase in the percentage of density for the decade 1890 to 1900 is twenty-two one-hundredths.

We find in the statistical table showing the increase in population from 1890 to 1900 that Arizona gained a population of 40,550, exclusive of persons on Indian reservations, and that this represented an increase of 68 per cent over the census enumeration for 1890.

This statement needs particular explanation. The increase, 40,550, given by the census tables, is the difference between 59,620, which is only a part of the population for 1890, and 100,170, which is also only a part of the population for 1900, and the percentage of increase is calculated, not upon the whole, but only a part of the population of 1890. In each case the Indian population is not included. But a comparison of the aggregate population of 1890, amounting to 88,243 persons, with the aggregate population of 1900, which is 122,931, will produce a very different result. By subtracting the one from the other, we find the increase to be only 34,688, and this is only 39.3 per cent of the aggregate population of 1890.

I have prepared a table showing the census increase for each decade between 1860 and 1900 in the population of Arizona and 13 other Western States and Territories, with the view of comparing the increase for that period in population of Arizona with the increase of the other States, and I ask that this table may be inserted in my remarks at this point.

The PRESIDING OFFICER (Mr. WELLINGTON in the chair). In the absence of objection, that order will be made.

The table referred to is as follows:

State or Territory.	Increase.			
	1860 to 1870.	1870 to 1880.	1880 to 1890.	1890 to 1900.
Arizona	9,658	30,782	19,180	40,550
California	180,253	304,447	343,436	274,049
Colorado	5,587	154,463	217,871	126,357
Idaho	14,999	17,611	51,775	74,762
Montana	20,595	18,564	93,000	99,400
Nevada	35,634	19,775	16,505	5,089
New Mexico	1,642	27,691	84,028	37,854
Dakota Territory	9,344	120,996		
North and South Dakota combined			376,350	
North Dakota				129,520
South Dakota				55,079
Oklahoma			61,834	320,407
Oregon	38,458	83,845	138,969	95,997
Utah	46,513	57,177	63,942	67,047
Washington	12,991	51,161	274,274	162,194
Wyoming	9,118	11,671	39,916	29,895

Mr. BARD. This table shows that the only Western States or Territories having a smaller increase of population than Arizona in the decade 1860 to 1870 were Colorado, New Mexico, and Wyoming. In the decade 1870 to 1880 Arizona's increase was only greater than that of Idaho, Montana, Nevada, New Mexico, and Wyoming; but from 1880 to 1890 Arizona's increase outranked Nevada only, and from 1890 to 1900 Arizona's increase outranked only Nevada and New Mexico.

Colorado, which had a smaller increase of population in the first decade than Arizona, has outstripped Arizona and gained in population 499,836, while Arizona has gained only 113,273. New Mexico has had in every decade (except 1880 to 1890) a smaller increase than Arizona, and has gained 103,436, while Arizona has gained 113,273. Idaho gained 446,773. Montana gained 222,734. Nevada lost 156 people in the forty years. Oklahoma in the last ten years, having but 2,214 more than Arizona in 1890, gained 336,497, or three times as much as Arizona gained in forty years.

The other Western States which had a larger increase of population than Arizona in the four decades increased as follows between 1870 and 1900: California, 924,806—over eight times as much as Arizona; Oregon, 322,613—nearly three times as much as Arizona; Utah, 189,963—77,000 more than Arizona; Washington, 494,148—nearly four and one-half times as much as Arizona; North and South Dakota combined, 706,535—over six and one-fourth times as much as Arizona.

Here I must express my disappointment to find that, while the great West has been making wonderful progress, as indicated by its increase of population as well as by other evidences of growth, these two Territories, Arizona and New Mexico, have lagged so far behind.

The aggregate population of Arizona at the census of 1900 is made up of 92,903 persons denominated white, which include the native and foreign-born Mexican population, and the following, classified as colored persons, namely, 26,480 Indians, 1,848 negroes, 1,419 Chinese, and 281 Japanese; total, 30,028. (See Table IV, p. xx, vol. 2, part 2, Population; Table XXXIX, p. 40, of Abstract.)

According to this classification 75.6 per cent are white and 24.4 per cent are so-called colored. Of the 92,903 whites 22,395, or 24.6 per cent, are foreign born, including foreign-born Mexicans, and 70,508 are native born, including native-born Mexicans.

The total number of white persons of foreign parentage is 48,068, or over 51.7 per cent of the total white population (92,903), leaving 44,835 of native white parentage, or 48.3 per cent of the total white population. (Table VII, p. xxvi, Part II.) The foreign-born Mexican population alone in 1900 was 14,172, or 15.25 per cent of the whole white population (vol. 1, Population, Part I, p. clxxiv), and the foreign-born Mexican population in 1890 being 11,334, an increase for the decade is shown of 2,838 in the foreign-born Mexican population, or over 25 per cent. (See House Executive Documents, second session Fifty-third Congress, Vol. 15, report of Governor L. C. Hughes for 1893, quoting from Eleventh Census.)

Thirty-one and five-tenths per cent, or 12,002 of all the white persons of foreign parentage, including foreign-born whites, 10 years of age and over, can not speak English (Table 72, p. 124, abstract), and there are in the Territory 27,468 persons, white and colored, 10 years of age and over, or about 23.5 per cent of the whole population, who can not speak English. (Table 58, p. 76, abstract.) And there are 50,308 persons, or 40.9 per cent of the whole population, who are of foreign parentage. (Table LXXXIV, p. clxxxii, vol. 1, Population, Part I.)

Of the total population (being 122,931) 71,795 are males and 51,136 are females. There were 19,552 more males than females over 15 years of age, the excess of females being 16 per cent of the whole population.

Of the 51,014 males over 15 years of age nearly 50 per cent, or 25,249 were single.

Fifty-five and one-half per cent, or 28,459, are single, widowed, or divorced, and only 44½ per cent, or 22,555, married.

This, taken in connection with other facts, would indicate that a large part of the male population is of a transient character or is not permanently settled.

ILLITERACY.

The total white population of Arizona is classified as follows:

Native white—	
Native parents	44,830
Foreign parents	25,678
Foreign white	22,395

Aggregate	92,903
Total colored population	30,028

Illiterates are persons at least 10 years of age, unable to both read and write any language.

The aggregate illiterates in Arizona (table 84, p. 470) is 27,307, classified as follows:

Native white—	
Native parents	1,266
Foreign parents	1,830

Total native white	3,096
Foreign white	7,552

Total white	10,648
Colored, including 211 negroes	16,659

Aggregate of illiterates	27,307
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The percentage of illiteracy in the total population of Arizona, ten years of age and over, is 29 per cent. (Table LIV, p. c., vol. 2, Part II.)

The illiteracy of its white population is 14.9 per cent and the illiteracy of its colored population, which means Indians, negroes, and Mongolians, is 73.56 per cent. The illiteracy of its foreign population is 35.3.

It is important to observe, while the percentage of illiteracy in the white population of Arizona is 14.9, that of the white population of the continental United States is only 6.2, and that the percentage of illiteracy for the whole of the United States, including all Indians, negroes, and other inferior populations, is only 10.7 per cent, against Arizona's 29 per cent; and that the percentage of illiterates among the white population of the Western division, of which Arizona is a part, is only 4.1 per cent, against Arizona's 14.9 per cent. (Table LVII, p. 75, Abstract.)

I have prepared a table which will assist in making a comparison of the illiteracy of Arizona with that of the western census

division, of which it is a part, and I ask that it may be printed at this point as a part of my remarks.

The PRESIDING OFFICER. In the absence of objection, that order will be made.

The table referred to is as follows:

State or Territory.	Total illiteracy.	White illiteracy.
	Per cent.	Per cent.
Arizona.....	29	14.9
Colorado.....	4.2	3.8
New Mexico.....	85.2	29.9
Utah.....	3.1	2.2
Nevada.....	13.3	2.7
Idaho.....	4.6	1.9
Washington.....	3.1	1.5
Oregon.....	3.3	1.4
California.....	4.8	3.1
Oklahoma.....	5.5	2.9
Indian Territory.....	19	14.1
Texas.....	14.5	8.5

Mr. BEVERIDGE. With the permission of the Senator, may I ask him if he has got tabulated in this very interesting table how many of the 123,000 population of Arizona are Indians, how many Mexicans, either of foreign-born parentage or Mexican and native parentage, and how many are what are known down there as Americans? Has the Senator the numbers of those three elements?

Mr. BARD. I have given the number of those who were born in Mexico.

Mr. BEVERIDGE. I call attention to this point because it seems to me important that we should know the elements that compose the 123,000 people. But, roughly speaking, my recollection is that, as the Senator shows, out of the 123,000 people in this Territory, which is as large as New England and New York put together, there are 30,000 Indians, between twenty-seven and twenty-eight thousand or more Mexicans, I have forgotten the number who are Indians and half-breeds, leaving but 55,000 or 60,000 of what are called down there Americans, who populate a Territory as great in extent as all of New England and New York. So the question with reference to this very thing comes down to the admission of a Territory as great as New England and New York populated by 123,000 people, of whom about 30,000 are Indians and about 28,000 are Mexicans, and the rest, with the exception of some Indian half-breeds, are what are called down there Americans.

Mr. BARD. I have submitted some statistics as to that point.

Mr. BEVERIDGE. That, I think, is a pretty serious business.

Mr. BARD. The census reports do not make any distinction between the Mexican population and the American population, so far as I have been able to discover.

Mr. BEVERIDGE. The other day I myself put into the RECORD a table upon that subject.

Mr. BARD. Mr. President, we find that the illiteracy of both its total population and its white population is greater than that of every State and Territory of the Western division, except New Mexico.

The high percentage of illiteracy of the white population in Arizona may be charged principally to the Mexican population employed along its railroads and in its mines. But in this connection I desire to say that I have no prejudice against the Mexican people and no disposition to be unjust to them. I am familiar with the characteristics of the Spanish-speaking people of my own State. At the time of the admission of California to statehood they constituted a large portion of its population, and have contributed a fair share of the men who have aided in the upbuilding and directing the affairs of our State, and have shared in many of the honors which a State may confer upon its citizens.

It is probable that the present and later generations of the Mexican people of Arizona will, as a class, improve under the influences of the common schools and other American institutions, so that they will at some time fully appreciate the privileges of their citizenship and rise to the level of literacy and civilization upon which the average American citizen stands. They are now far below that level.

This description of the character and conditions of the population of Arizona will be by no means complete without referring to the fact that it is estimated that of the 92,903 white people a large percentage are Mormons. In 1890 they constituted one-fifth of the population, according to the census. The governors of the Territory of Arizona, at various times in its history, found occasion to refer specifically to them, and to their standing as citizens, and I have culled from their reports the following remarks:

In 1889 Governor Wolfley, in urging Congress to reestablish the Territorial law which disfranchised all who practiced, taught,

or encouraged polygamy, and which had been repealed by the last legislature of the Territory, speaks of them as follows:

Morally and politically the Mormons are an unwelcome and a dangerous element. Morally, their teaching and encouraging, if not actually practicing, polygamy is against all established Christian law, moral or religious. Politically, the Mormons seem to have adopted the plan of sending colonies or "stakes" to the surrounding Territories in sufficient numbers to form a balance of power between the two political parties. They are willing to trade with either, but remain true only so long as the interests of the church are best served.

The church is their law, and all other law is subservient to the orders of the church. They are therefore a most dangerous and unscrupulous factor in politics, without regard to party. Four years ago they voted for the Republican Delegate to Congress; two years ago and last year they voted for the Democratic Delegate, in payment for the repeal of the above-referred-to disfranchising act, passed by my late predecessor. Who they will next vote for will depend upon who will or who can make them the best offer or do them the most service. (House Ex. Docs., 1889-1890, Fifty-first Congress, first session, vol. 13, pp. 250-251.)

Governor Wolfley states that, at that time, the Mormons numbered about 8,000.

In the following year (1890) Governor N. O. Murphy estimates the number of Mormons in Arizona at 12,000, which he says "is one-fifth of our population under the census," and that, in view of the restrictive legislation in Idaho and the probability of similar action in Utah, it is more than likely that the immigration of that class of people to Arizona will rapidly increase; and, in his concluding remarks, he devotes considerable space in stating the facts as they appear to him in reference to the Mormons. He says:

The influences of the Mormon Church upon the progress of Western civilization and their effects, socially and morally, are vexatious. It seems to be generally accepted by the highest modern intelligence that the public welfare and the general good of our people will be best subserved by legislative restrictions upon the Mormons, and it has been the policy of the Government and of communities wherever the followers of Mormonism have gained a foothold in this country to restrain, by legislative enactment, the extension of Mormon power and influence. (House Ex. Docs., 51st Cong., 2d sess., vol. 15, pp. 491, 492.)

In his reference to the convention held under an act of the legislature of Arizona, approved March 19, 1891, for the formation of a State constitution, which convention was in session at the time of the writing of the report, Governor Murphy says:

The principal bone of contention so far developed between the political parties in the convention is the question of following the example of Idaho in the matter of the "test oath," as applied to Mormons exercising the right of franchise. The Democrats oppose the "test oath" and the Republicans favor it. The Democrats claim that the Republicans favor the measure because the Mormons of Arizona vote the Democratic ticket, and that the question is entirely political and not moral, and the proposed "oath," if required by the constitution, would be an unjust and unconstitutional discrimination on account of religious belief; that the Mormons have renounced the practice of polygamy and bigamy by edict of their church authorities, and that they conform to the laws of the country, are worthy people, and are entitled to the same consideration accorded to other citizens.

On the other hand, the Republicans claim that the question is more moral than political, notwithstanding that the Mormons vote the Democratic ticket to a man; that the renunciation of the crimes of polygamy and bigamy by edict of their leaders is not sincere, and is only done for a purpose, and that those crimes against society still form the keystone to the arch of their faith; that they do not recognize the supremacy of the State over their church; that they exercise the right of franchise blindly as a class, and under orders from selfish and interested motives, and are consequently unfitted to exercise such a right, no matter what political party they favor, unless they are willing to subscribe to the oath referred to.

And again he says:

It is also claimed here by independent thinkers that, owing to the junction of Arizona with Utah, it would be very easy to so colonize the Territory with Mormons by either political party (which they might be inclined to favor) as to absolutely control the affairs of state for a long time, and it is true that they do now hold the balance of political power in Arizona. (House Ex. Docs., 52d Cong., 1st sess., vol. 16, p. 313.)

In his report for 1893 Governor L. C. Hughes makes a statement regarding the strength of the various church organizations in the Territory at that time, from which we find that the Mormons had more churches in the Territory than any other denomination. He also informs us that in the last election the Mormons cast a vote of 1,500 out of a total vote of 7,738 cast on the question of the adoption of a constitution. He further says concerning the Mormon population: "This population does not exceed one-eighth of our people." But it will be observed that the Mormon vote was about one-fifth of the whole vote cast on the question of adoption of a constitution.

I notice that in the later report of the governor to the Secretary of the Interior, Governor Hughes states that the practice of polygamy by the Mormons in Arizona is "unknown," and they are a thrifty, industrious, and law-abiding class of citizens. His choice of the word "unknown" is singular and perhaps significant. Nevertheless, if they have been insincere in their professions of obedience to the laws prohibiting polygamy or bigamy as late as 1890, there is a possibility that in this respect some of them at least would violate the law again unless further restrained by local public opinion and regulations, and I now refer to a feature of the omnibus bill which ought not escape the attention of anyone charged with the careful investigation of it.

I refer to the clauses intended to prevent the practice of polygamy in the proposed new States. The original House bills introduced by the Delegates from New Mexico and Arizona contained

nothing in regard to polygamy, and, as we know, the omnibus bill was made up, without material alteration, from the separate bills introduced by the Delegates from the Territories; but that, in the Committee of the Whole House on May 9, 1901, an amendment was proposed by Representative ROBERTS, and adopted, which provided in respect to Arizona that "polygamious or plural marriages are forever prohibited," and the amendment was agreed to.

Just before the omnibus bill was passed by the House, Mr. RODEY, the Delegate from New Mexico, probably intending to correct an oversight in his bill, proposed an amendment which provided that the prohibition of polygamy should also apply to New Mexico; which amendment was also adopted. But in respect to Oklahoma the provision relative to polygamy, which was already in the original bill introduced by Delegate FLYNN, was retained in the omnibus bill without any change.

This proviso relating to polygamy in Oklahoma, however, is not the same as the amendments applying to New Mexico and Arizona. It reads as follows:

And said convention shall provide by ordinance irrevocable without the consent of the United States and the people of said State: First, That perfect toleration of religious sentiment shall be secured, and that no inhabitant of said State shall ever be molested in person or property on account of his or her mode of religious worship: *Provided*, That nothing herein contained shall be construed to legalize the practice of polygamy.

There seems to be no good reason why the prohibitory clause should not be uniform in its application to all of the proposed new States. The omission of the prohibition in respect to Oklahoma gives emphasis to its application to the two other Territories. The proviso relating to Oklahoma is not a prohibition of polygamy, for it would be no contravention of the proposed ordinance for Oklahoma if its legislature should at any time legalize the practice of polygamy.

The acquiescence of the Delegate from Arizona in the adoption of the amendment in reference to prohibition of polygamy in his Territory, and the introduction by the Delegate from New Mexico of a similar amendment applying to New Mexico, is an acknowledgment of the propriety and necessity for taking a further precaution against the practice of polygamy in these proposed new States, notwithstanding there are United States laws upon the subject which may fairly be considered sufficient and efficacious in any communities where there is a sound public opinion to support the law.

The cold statistics relative to the population of Arizona, which I have recited, are very material and are reliable. They reveal the general character, conditions, and intelligence of a large part of the population of Arizona upon whom this measure intends to confer the dignity of statehood.

By reason of the facts above given in reference to the population of Arizona, namely, that the density of the whole population is only one and one-tenth persons to the square mile; that the increase of population for the last decade was only in fact 39.3 per cent, or at a rate of about 4,000 persons per annum; that such increase is less than that of any of the States and Territories of the western division except Nevada and New Mexico; that 24 per cent of its white population is foreign born; that 40.9 per cent of the whole population is of foreign parentage; that of every 12 inhabitants 7 are males and 5 are females, and that the percentage of illiteracy of its white population compared with other States is very high—I am compelled to conclude that Arizona does not have a population which, in numbers, bears a reasonable proportion to the population of the nation as a whole, and that the average rank of its citizens is not yet high enough to entitle it to an equal footing with the original States of the Union.

This conclusion is not unjust nor disparaging to that element of the population of Arizona who have had the training in citizenship which Americans usually have, and who, in respect to intelligence, courage, and devotion to the principles of our Government, will compare favorably with the best citizenship of any State. Nor is it disparaging to the brave and hardy pioneers who have removed obstacles from the path which the westward course of empire takes; nor to the men who, intelligently and with faith in the future of the Territory, began and will continue the reclamation of that vast arid region, and who have already done and are doing so much in developing the resources of its mountains. Such men, though not strong numerically, will yet accomplish much more.

RESOURCES OF THE TERRITORY.

I do not propose to repeat the statistics which have already been presented by the Senators from Vermont, New Hampshire, and Minnesota, and the other Senators who have preceded me, in order to show the character, extent, and value of the resources of Arizona; but I think it will be interesting and instructive to make comparisons with the view of determining what has been the growth of wealth and the rate of the progress of the development of the mineral, grazing, and agricultural resources of the Territory for the last twenty years. In order to make such compari-

sons, it is necessary to ascertain first what were the conditions of these industries and how far they had been already developed in 1883, and then to compare the facts thus ascertained with the present conditions.

This comparison will be more graphic if we shall pay less attention to the statistical tables of the census reports, although, of course, we must occasionally refer to them, and shall rely mainly upon the annual reports of the Territorial governors for the period mentioned. This source of information has not yet been used much in this discussion, and I submit that it is fair to use the data and opinions and conclusions thus presented by the chief executive officers of the Territorial government, who have, in accordance with their duty, presented the essential facts showing the annual progress and conditions of their respective Territories.

I have collated from the reports of the governors of Arizona and New Mexico and Oklahoma the assessed valuations of all property in each of the Territories for twenty years. I know that while these valuations may not represent the full values of all the property assessed in each year, and that there may not be the same basis for valuation in all of the Territories, nevertheless they will serve to indicate approximately the growth of the wealth and the increase in the value of property that has contributed to the support of the Territorial government.

Frequent references have been made in these governors' reports to the effect that, under the system in vogue, which unfortunately is used in other Western States, considerable taxable property is not returned to the assessors, and that the valuations of the assessed property are usually lower than their fair cash values. Perhaps as the community grows older the taxpayers may learn that correct returns and fair cash valuations will result in a more just and perfect distribution of the charge against the property and in a corresponding reduction of the tax rate, but Arizona, like many of the States, has not yet adequately remedied the admitted defects in its system of taxation.

I have in my hand a comparative table of assessed valuations of taxable properties in the Territories of Arizona, New Mexico, and Oklahoma, collated, as I have said, from the reports of the governors from 1883 to 1902, inclusive, in respect to Arizona and New Mexico, and from 1891 to 1902, inclusive, for Oklahoma, which I desire to have printed as a part of my remarks.

The PRESIDING OFFICER. If there is no objection the table will be inserted in the RECORD.

The table referred to is as follows:

Comparative table of assessed valuations of property in the Territories of Arizona, New Mexico, and Oklahoma.
[Collated from the reports of the governors.]

Fiscal year ended June 30—	Arizona.	New Mexico.	Oklahoma.
1883	\$36,006,860.00	\$27,137,903.00	.....
1884	30,227,776.00	23,442,839.00	.....
1885	28,682,612.00	37,500,498.00	.....
1886	23,206,918.00	45,000,000.00	.....
1887	26,313,500.00	45,462,459.00	.....
1888	25,913,015.00	43,151,220.00	.....
1889	27,057,467.00	46,041,010.00	.....
1890	28,050,235.00	45,199,847.00	.....
1891	28,270,496.00	45,329,593.00	\$6,878,928.00
1892	27,923,162.00	Not shown.	11,485,162.00
1893	28,486,183.00	41,602,198.00	13,951,053.38
1894	27,090,975.00	43,630,245.00	19,947,992.00
1895	27,518,322.00	41,128,621.00	39,275,189.00
1896	28,047,176.00	40,518,037.81	24,815,711.00
1897	30,613,703.00	40,000,000.00	32,094,752.00
1898	31,473,390.00	Not shown.	40,623,816.00
1899	32,509,520.00	40,124,725.00	42,982,414.00
1900	33,782,406.00	36,354,761.00	49,338,651.00
1901	33,853,831.00	36,977,048.00	60,464,696.00
1902	39,083,178.00	38,227,878.00	72,677,423.00

Mr. BARD. It is observed that, with respect to Arizona, there is a gradual decline in the assessed valuations each consecutive year for a whole decade following 1883. I will state that, because of the repeated decline in these valuations after 1883, I feared that the figures for that year were erroneous, but in the report for 1894 I came across a verification of it in the statement of the governor that the valuation for 1894 amounted, in round numbers, to \$27,000,000 (\$27,060,975), and that it was about \$9,000,000 less than the assessed valuation for 1883, which was \$36,000,860.

It will be observed from this statement that the total assessed value of property in Arizona was higher in 1883, the beginning of our period of twenty years, than it was in any year, except the years 1901 and 1902, and that for the whole period the apparent gain in the assessed valuation of property in Arizona for the twenty years is only \$3,076,318, or at the rate of \$153,826 per annum.

In 1886 there was a decrease of over \$5,000,000 in the assessed valuations of property below the returns for 1885. This decrease was due in part to the temporary discouragement and prevention

of immigration caused by the raids of the renegade Apaches under the lead of Geronimo and Natches. Under such circumstances it is fair to presume that much property could not be reached or was undervalued by the assessor. The legislative assembly of 1885 created a Territorial board of equalization to revise the assessments of the different counties and to see that all property is assessed at the true cash value as the law requires, and the assessment for the next year shows an increase of only \$3,000,000. But if we take the lowest annual assessed valuation reported for the twenty years, being for the year 1886 \$23,206,918.65, and compare it with the valuation of 1902, the increase in the last sixteen years seems to be \$15,776,260, or at the annual rate of \$986,000.

It is a surprise to find Arizona thus admitting that her wealth is so inconsiderable when compared with her area and that the accumulations of her wealth and the progress of the development of her resources have been so slow, as is indicated by her equalized assessment rolls.

Note, too, that, side by side with Arizona, New Mexico makes a similar confession. The assessed valuation of property in New Mexico for 1883 is \$27,137,903, and the assessment of property in New Mexico for 1902 is \$38,227,878. The gain for the twenty years is about \$11,000,000, or an average annual increase of \$550,000. Her assessment valuations have fluctuated, rising from \$27,137,903 in 1883, and reaching their highest point of \$46,041,010 in 1889. Since then they have decreased, and in 1901 had fallen to \$36,977,048, a lower valuation than for any year since 1884. There is an actual decrease of \$7,813,123, if we compare the assessed valuation for 1889 with that of 1902. For the thirteen years this would be an average annual decrease of over \$600,000.

On the other hand, look at the table and observe what a different story is told by the increase in the assessed valuations of property in Oklahoma. Beginning with the year 1891, there has been an increase, year by year, except for the year 1896; and in the five years from 1897 to 1902 Oklahoma gained in assessed property \$40,640,000, which gain alone is over \$1,500,000 more than the total valuation of all the assessed property in Arizona in 1902, and over \$2,000,000 more than the total assessed valuation of property in New Mexico in 1902. Oklahoma has \$33,594,245 more assessed property on her tax rolls than Arizona, and nearly double as much as has New Mexico.

Mr. CULLOM. Mr. President—

The PRESIDING OFFICER (Mr. WELLINGTON in the chair). Does the Senator from California yield to the Senator from Illinois?

Mr. BARD. Certainly.

Mr. CULLOM. I wish to inquire of the junior Senator from California whether it would not be more agreeable to him to finish his remarks when this bill is next under consideration?

Mr. BARD. It would be. My voice is becoming weaker.

Mr. CULLOM. I should like very much to have a little executive session, and if it is agreeable to the Senator I will move that the Senate proceed to the consideration of executive business.

Mr. BARD. I yield to the Senator from Illinois.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

Mr. FORAKER. Will the Senator from Illinois withhold that motion for just a minute?

Mr. CULLOM. All right.

Mr. FORAKER. I wish to make just one remark, in order that it may go into the RECORD along with the statement which I understand the Senator from Massachusetts [Mr. LODGE] made in his closing sentences. I was not in the Chamber at the time, but I have been told that he spoke in almost unmeasured criticism of the proposition of the Senator from Pennsylvania [Mr. QUAY] to make the statehood bill an amendment to an appropriation bill.

I wish to call attention to the fact that that is nothing unusual, as the remarks of the Senator, as they have been reported to me, would seem to indicate, but quite in accordance with the practice that has obtained here under similar circumstances ever since I have been a member of the Senate.

I remember, as all Senators must, that when we were considering the Army appropriation bill, we attached to it as a rider, if I may use that expression, a bill providing for civil government in the Philippine Islands. It was bitterly criticised at the time, but it was supported by a majority of the Senate. I might mention a number of other cases, and would, except that I do not wish to delay the motion of the Senator from Illinois.

Mr. BEVERIDGE. The report has not yet been made.

Mr. KEAN. Will the Senator from Ohio pardon me? No State ever was admitted into the Union by provisions in an appropriation bill.

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from New Jersey?

Mr. FORAKER. Yes; I yield to the Senator from New Jersey, and will take great pleasure in answering him.

The PRESIDING OFFICER. The Chair would be glad if Senators would observe the rule of the Senate and first address the Chair before interrupting a Senator.

Mr. FORAKER. Answering the Senator from New Jersey, it is true perhaps that no State has ever been admitted to the Union by an amendment to an appropriation bill, but the principle is not different—it does not need any argument to show that—in the case now presented and criticised by the Senator from Massachusetts from that in the case presented when we provided for civil government in the Philippine Islands by an amendment to the Army appropriation bill.

I might mention a number of other cases, but I do not wish to take the time to do it. However, I will call attention to the fact that only to-day there were reported from the Committee on Military Affairs, by the unanimous vote of that committee, amendments to the Army appropriation bill providing for general legislation to create a general staff and also to provide for the retirement of Army officers with an advanced rank.

I mention this not to discuss it, but simply to call attention to the fact that what the Senator from Massachusetts, according to the remarks reported to me, seemed to think was unheard of is not unheard of at all.

Mr. CLAY. Will the Senator from Ohio allow me?

Mr. FORAKER. It is simply a question in every case whether or not a majority of the Senate want to do the thing that it is proposed to do, the majority of the Senate having it in their power always to make any such amendment as in their judgment may be necessary and to enact such legislation as in their judgment the best interests of the country require.

Mr. SCOTT. I move that the Senate do now adjourn.

Mr. CLAY. Mr. President—

Mr. FORAKER. I yield to the Senator from Georgia.

The PRESIDING OFFICER. Senators will please be in order. Mr. CULLOM. I myself had the floor and yielded to the Senator from Ohio.

Mr. FORAKER. I beg pardon.

Mr. CLAY. Mr. President, in connection with what the Senator from Ohio has just said, I hold before me the CONGRESSIONAL RECORD containing the amendment put on the bill making appropriations for the support of the Army. I will ask that the amendment be inserted in my remarks without being read.

The PRESIDING OFFICER. If there be no objection to the request of the Senator from Georgia, it is so ordered. The Chair hears none.

The amendment referred to is as follows:

All military, civil, and judicial powers necessary to govern the Philippine Islands, acquired from Spain by the treaties concluded at Paris on the 10th day of December, 1898, and at Washington on the 7th day of November, 1900, shall, until otherwise provided by Congress, be vested in such person and persons and shall be exercised in such manner as the President of the United States shall direct, for the establishment of civil government and for maintaining and protecting the inhabitants of said islands in the free enjoyment of their liberty, property, and religion: *Provided*, That all franchises granted under the authority hereof shall contain a reservation of the right to alter, amend, or repeal the same.

Mr. BEVERIDGE. Mr. President—

Mr. CLAY. Mr. President, just one moment.

Mr. BEVERIDGE. What is the request of the Senator from Georgia?

Mr. CLAY. I will take but a moment.

The PRESIDING OFFICER. That a certain amendment be inserted in the RECORD.

Mr. CLAY. I notice that in the CONGRESSIONAL RECORD there follows the vote taken on the amendment. We know that was an amendment which invested the President of the United States with power to govern the Philippine Islands during a certain period of time and until Congress should otherwise direct.

Now, the Senator from Massachusetts [Mr. LODGE] has taken the position that this proposed amendment is revolutionary. Let us see what was his position at that time.

Mr. CULLOM. Mr. President—

Mr. CLAY. The Senator from Alabama [Mr. PETTUS] made the point of order that this amendment was general legislation.

Mr. CULLOM. Mr. President—

Mr. CLAY. The Chair submitted to the Senate for its decision the question whether the amendment was in order. That was the question before the Senate, and on it a yea-and-nay vote was had. I find that the Senators voting that the amendment was in order and ought to be attached to the appropriation bills were as follows:

ALDRICH, ALLISON, BAKER—

I will simply ask that their names be inserted in the RECORD, for I do not wish to consume the time of the Senate. Among the Senators voting in favor of placing the amendment upon the appropriation bill was the Senator from Massachusetts [Mr. LODGE].

The PRESIDING OFFICER. Is there objection to the request of the Senator from Georgia that the list of names be inserted in the RECORD?

Mr. BEVERIDGE. It saves him from reading it. Of course nobody objects.

The PRESIDING OFFICER. There being no objection, the extract will be printed the RECORD.

The extract is as follows:

Mr. PETTUS. Mr. President—

The PRESIDENT pro tempore. The Senator from Alabama raises the point of order that this amendment is general legislation. The Chair submits the question to the Senate for its decision. Is the amendment in order? Is the question before the Senate?

Mr. PETTUS. On that question I ask for a yea-and-nay vote.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. McMILLAN (when his name was called). I am paired with the Senator from Kentucky [Mr. LINDSAY]. I do not see him at present in the Chamber. I will transfer that pair to the Senator from Nevada [Mr. JONES], and vote. I vote "yea."

Mr. MONEY (when his name was called). I am paired with the senior Senator from Oregon [Mr. McBRIDE].

Mr. MORGAN (when his name was called). This seems to be a political division, and I am paired with the Senator from Pennsylvania [Mr. QUAY]. If he were present, I should vote "nay."

Mr. PENROSE. I suggest to the Senator from Alabama that his pair be transferred to the Senator from Delaware [Mr. KENNEY], with whom I have a general pair, and then we can both vote.

Mr. MORGAN. All right. I vote "nay."

Mr. PETTUS (when his name was called). I am paired with the senior Senator from Massachusetts [Mr. HOAR], who is not present, and I withhold my vote. I should vote "nay," if I had the privilege of voting.

Mr. PRITCHARD (when his name was called). I have a general pair with the Senator from South Carolina [Mr. McLAURIN] and withhold my vote.

Mr. WARREN (when his name was called). I am paired with the Senator from Washington [Mr. TURNER]. I inquire if he has voted.

The PRESIDENT pro tempore. The Chair is informed that he has not voted.

Mr. WARREN. Then I withhold my vote.

The roll call was concluded.

Mr. HALE. I have a general pair with the Senator from Arkansas [Mr. JONES]. If he were present, I should vote "yea," and I think he would vote "nay."

Mr. BERRY. I will state that my colleague [Mr. JONES of Arkansas] would vote "nay," if he were here.

Mr. CHILTON (after having voted in the negative). I will ask if the Senator from West Virginia [Mr. ELKINS] has voted?

The PRESIDENT pro tempore. The Chair is informed that he has not voted.

Mr. CHILTON. I have a general pair with that Senator, and therefore withdraw my vote.

The result was announced—yeas 39, nays 23; as follows:

YEAS—39.

Aldrich,	Dillingham,	Quarles,
Allison,	Dolliver,	Lodge,
Baker,	Fairbanks,	McComas,
Bard,	Foster,	McCumber,
Beveridge,	Gallinger,	McMillan,
Burrows,	Hanna,	Nelson,
Carter,	Hansbrough,	Penrose,
Chandler,	Hawley,	Perkins,
Cullom,	Kean,	Platt, Conn.
Deboe,	Kearns,	Platt, N. Y.
		Proctor,
		Stewart,
		Thurston,
		Wolcott,

Mr. BEVERIDGE. I want to ask the Senator—

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Indiana?

Mr. CULLOM. I want the Chair to know that I yielded to the Senator from Ohio to make a remark or two, expecting to be recognized when he got through, and I have not been able to secure recognition so far.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. BEVERIDGE. I ask the Senator from Illinois to permit me to ask the Chair a question as to the parliamentary condition, and only that.

Mr. CULLOM. I think, if I may be allowed to say a word, that this discussion might just as well take place to-morrow.

Mr. BEVERIDGE. I think so.

Mr. CULLOM. It is very important that we should have a little executive session, not for the ratification of treaties to-night, because it is too late, but there are some other treaties which ought to be referred to the Committee on Foreign Relations to-day.

Mr. BEVERIDGE. I agree with that, but I wish to ask the Chair a parliamentary question.

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Indiana?

Mr. CULLOM. I yield that the Senator may ask a question of the Chair.

Mr. BEVERIDGE. That is all I want to do.

Mr. President, I wish to know whether a report from any committee has been made here to-day of any of the amendments which were offered yesterday to any one of the appropriation bills? That is what I wish to know.

The PRESIDING OFFICER. The Chair is unable to state.

Mr. BEVERIDGE. That I desire to know.

Mr. FORAKER rose.

The PRESIDING OFFICER. Can any information be obtained?

Mr. FORAKER. I do not know whether those reports have been made or not. If the Senator bases his question on any statement I made, my statement was that the Committee on Military

Affairs this morning reported back the Army appropriation bill with amendments which provide for general legislation, one of them being to provide for the creation of a general staff and the other being to provide for the retirement of officers.

Mr. BEVERIDGE. That is satisfactory as to the Army appropriation bill; but what I want to know is whether any of those amendments have been reported.

Mr. CULLOM. Mr. President, I insist upon my motion that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After twelve minutes spent in executive session the doors were reopened, and (at 4 o'clock and 55 minutes p. m.) the Senate adjourned until to-morrow, Friday, January 30, 1903, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate January 29, 1903.

CONSULS.

Levi S. Wilcox, of Illinois, now consul at that place, to be consul-general of the United States at Hankau, China.

James W. Ragsdale, of California, now consul at that place, to be consul-general of the United States at Tientsin, China.

COLLECTORS OF CUSTOMS.

Nelson E. Nelson, of North Dakota, to be collector of customs for the district of North and South Dakota, in the States of North Dakota and South Dakota. (Reappointment.)

William J. Grant, of New York, to be collector of customs for the district of Cape Vincent, in the State of New York. (Reappointment.)

William H. Daniels, of New York, to be collector of customs for the district of Oswegatchie, in the State of New York, to succeed Charles A. Kellogg, whose term of office has expired by limitation.

SURVEYOR OF CUSTOMS.

John A. Bassarear, of New York, to be surveyor of customs for the port of Greenport, in the State of New York. (Reappointment.)

PROMOTIONS IN THE NAVY.

Lieut. (Junior Grade) Edward H. Watson, to be a lieutenant in the Navy from the 2d day of December, 1902, vice Lieut. Wilson W. Buchanan, promoted.

Lieut. (Junior Grade) Orlo S. Knepper, to be a lieutenant in the Navy from the 2d day of December, 1902, vice William J. Maxwell, promoted.

Lieut. (Junior Grade) Edward H. Dunn, to be a lieutenant in the Navy from the 10th day of January, 1903, vice Lieut. Lewis J. Clark, promoted.

Asst. Surg. Ralph W. Plummer, to be a passed assistant surgeon in the Navy from the 17th day of June, 1902, to fill a vacancy existing in that grade on that date.

PROMOTION IN THE MARINE CORPS.

First Lieut. Frederick L. Bradman, United States Marine Corps, to be a captain in the Marine Corps from the 23d day of July, 1901, to fill a vacancy existing in that grade on that date.

DIRECTOR OF THE MINT.

George E. Roberts, of Iowa, to be Director of the Mint. (Reappointment.)

APPOINTMENTS IN THE ARMY.

General officer.

Col. Charles L. Davis, Fifth Infantry, to be brigadier-general, January 26, 1903, vice Hayes, retired from active service.

Infantry Arm.

Albert Blackmore Hatfield, at large, to be second lieutenant, January 27, 1903, vice Goodrich, Thirteenth Infantry, promoted.

Judge-Advocate-General's Department.

First Lieut. Henry M. Morrow, Ninth Cavalry, to be judge-advocate with the rank of major, January 27, 1903, vice Lawton, retired from active service.

PROMOTIONS IN THE ARMY.

Cavalry Arm.

Lieut. Col. Richard H. Pratt, Fifteenth Cavalry, to be colonel, January 24, 1903, vice Hayes, Thirteenth Cavalry, appointed brigadier-general.

Maj. Frederick K. Ward, First Cavalry, to be lieutenant-colonel, January 24, 1903, vice Pratt, Fifteenth Cavalry, promoted.

Capt. Eben Swift, Fifth Cavalry, to be major, January 24, 1903, vice Ward, First Cavalry, promoted.

First Lieut. Henry C. Whitehead, Tenth Cavalry, to be captain, January 24, 1903, vice Swift, Fifth Cavalry, promoted.

APPOINTMENTS IN THE NAVY.

Frederick W. S. Dean, a citizen of South Carolina, to be an assistant surgeon in the Navy from the 26th day of January, 1903, to fill a vacancy existing in that grade on that date.

Richard L. Sutton, a citizen of Missouri, to be an assistant surgeon in the Navy from the 26th day of January, 1903, to fill a vacancy existing in that grade on that date.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 29, 1903.

SECRETARY OF HAWAII.

George R. Carter, of Hawaii, to be secretary of the Territory of Hawaii.

PROMOTION IN THE MARINE CORPS.

Second Lieut. Lee B. Purcell, United States Marine Corps, to be a first lieutenant of the Marine Corps from the 23d day of July, 1901.

APPOINTMENTS IN THE NAVY.

Ernest H. Brownell, a citizen of Rhode Island, to be a civil engineer in the Navy from the 24th day of October, 1902.

Ernest R. Gayler, a citizen of Missouri, to be a civil engineer in the Navy from the 24th day of October, 1902.

Paul L. Reed, to be a civil engineer in the Navy from the 28th day of October, 1902.

PROMOTION IN THE NAVY.

Lieut. Joseph H. Rohrbacher, to be a lieutenant-commander in the Navy, from the 7th day of November, 1902.

COLLECTOR OF CUSTOMS.

George L. Smith, of New Jersey, to be collector of customs for the district of Newark, in the State of New Jersey.

POSTMASTERS.

FLORIDA.

John H. Hibbard, to be postmaster at De Land, in the county of Volusia and State of Florida.

GEORGIA.

Jane A. McKinney, to be postmaster at Blackshear, in the county of Pierce and State of Georgia.

ILLINOIS.

John S. Goodyear, to be postmaster at Mattoon, in the county of Coles and State of Illinois.

IOWA.

Henry T. Swope, to be postmaster at Clearfield, in the county of Taylor and State of Iowa.

Henry Barnes, to be postmaster at Elliott, in the county of Montgomery and State of Iowa.

J. Ken Mathews, to be postmaster at Mediapolis, in the county of Des Moines and State of Iowa.

Henry C. Hill, to be postmaster at Milton, in the county of Van Buren and State of Iowa.

Charles C. Burgess, to be postmaster at Cresco, in the county of Howard and State of Iowa.

MARYLAND.

George E. Baughman, to be postmaster at Westminster, in the county of Carroll and State of Maryland.

Sewell M. Moore, to be postmaster at Cambridge, in the county of Dorchester and State of Maryland.

NORTH DAKOTA.

Charles L. Mitchell, to be postmaster at Jamestown, in the county of Stutsman and State of North Dakota.

William J. Hoskins, to be postmaster at Rolla, in the county of Rolette and State of North Dakota.

Ole Roland, to be postmaster at Bottineau, in the county of Bottineau and State of North Dakota.

Frank Sims, to be postmaster at Willow City, in the county of Bottineau and State of North Dakota.

Charles H. Potter, to be postmaster at Enderlin, in the county of Ransom and State of North Dakota.

PENNSYLVANIA.

John G. McCamant, to be postmaster at Tyrone, in the county of Blair and State of Pennsylvania.

SOUTH DAKOTA.

Thomas B. Roberts, to be postmaster at Armour, in the county of Douglas and State of South Dakota.

John W. Walsh, to be postmaster at Montrose, in the county of McCook and State of South Dakota.

VIRGINIA.

Charles Bugg, to be postmaster at Farmville, in the county of Prince Edward and State of Virginia.

HOUSE OF REPRESENTATIVES.

THURSDAY, January 29, 1903.

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed without amendment bill of the following title:

H. R. 16333. An act to change and fix the time for holding district and circuit courts of the United States for the eastern division of the eastern district of Arkansas.

The message also announced that the Senate had disagreed to the amendments of the House of Representatives to the bill (S. 3287) to fix the salaries of certain judges of the United States, had asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. HOAR, Mr. FAIRBANKS, and Mr. TURNER as the conferees on the part of the Senate.

The message also announced that the Senate had passed the following resolution:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 6719) to change and fix the term for holding the district and circuit courts of the United States for the eastern division of the eastern district of Arkansas.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to the bill (S. 3512) concerning minimum punishment in certain cases arising in the Indian Territory.

ORDER OF PROCEEDING ON CLAIMS BILLS.

Mr. GRAFF. Mr. Speaker, I submit the resolution which I send to the desk, and ask that it be adopted by unanimous consent.

The Clerk read as follows:

Resolved, That in the consideration of bills on the Private Calendar, on Friday, January 30, 1903, under special order adopted December 2, 1901, bills reported by the Committee on Claims shall be taken up in such order as selected by the chairman of said committee.

Mr. GRAFF. Mr. Speaker, I wish to make a statement in reference to this proposed resolution. While the resolution states that the bills will be taken up as selected by the chairman of the committee, the arrangement agreed upon is that a Democratic member representing the Committee on Claims shall select half the bills to be called up, and I shall select the other half, the call alternating, one bill being taken up on one side of the House, and the next bill on the other side, so long as we may have time to consider these bills to-morrow. This plan was adopted at the second session of the last Congress and it worked satisfactorily to all the members of the House. To-morrow will, in all probability, be the only day during the remainder of this session devoted to bills on the Private Calendar reported from the Committee on Claims.

Mr. RICHARDSON of Tennessee. I understand that the object is to take up claims so far as possible that are unexceptionable.

Mr. GRAFF. Yes, sir; so far as possible.

Mr. RICHARDSON of Tennessee. So as to preclude as far as may be the necessity for inquiry or debate in regard to these bills?

Mr. GRAFF. Yes, sir. The call will alternate from one side of the House to the other.

The SPEAKER. If there be no objection, the proposed resolution will be adopted.

The resolution was agreed to.

On motion of Mr. GRAFF, a motion to reconsider the last vote was laid on the table.

STATUTES OF CHARLES CARROLL AND JOHN HANSON.

Mr. PEARRE. I ask unanimous consent for the present consideration of the resolution which I send to the Clerk.

The Clerk read as follows:

Resolved by the House of Representatives, That the members of the Maryland statutory commission be admitted to the floor of the House of Representatives, in seats to be provided for them, during the ceremonies incident to the acceptance of the statues of Charles Carroll of Carrollton and John Hanson, presented by the State of Maryland to the Government of the United States, on Saturday, January 31, at 3 p. m.; and

Resolved further, That the southeast and southwest ladies' galleries be reserved for the relatives of the said Charles Carroll of Carrollton and John Hanson and for such citizens of Maryland as may attend these ceremonies.

There being no objection, the resolution was considered, and agreed to.

The SPEAKER. This resolution having been adopted, the Doorkeeper will be governed by this action of the House.

HEIRS OF AARON VAN CAMP AND VIRGINIUS P. CHAPIN.

Mr. GRAFF. I desire to call up a conference report on the bill (S. 342) for the relief of the heirs of Aaron Van Camp and